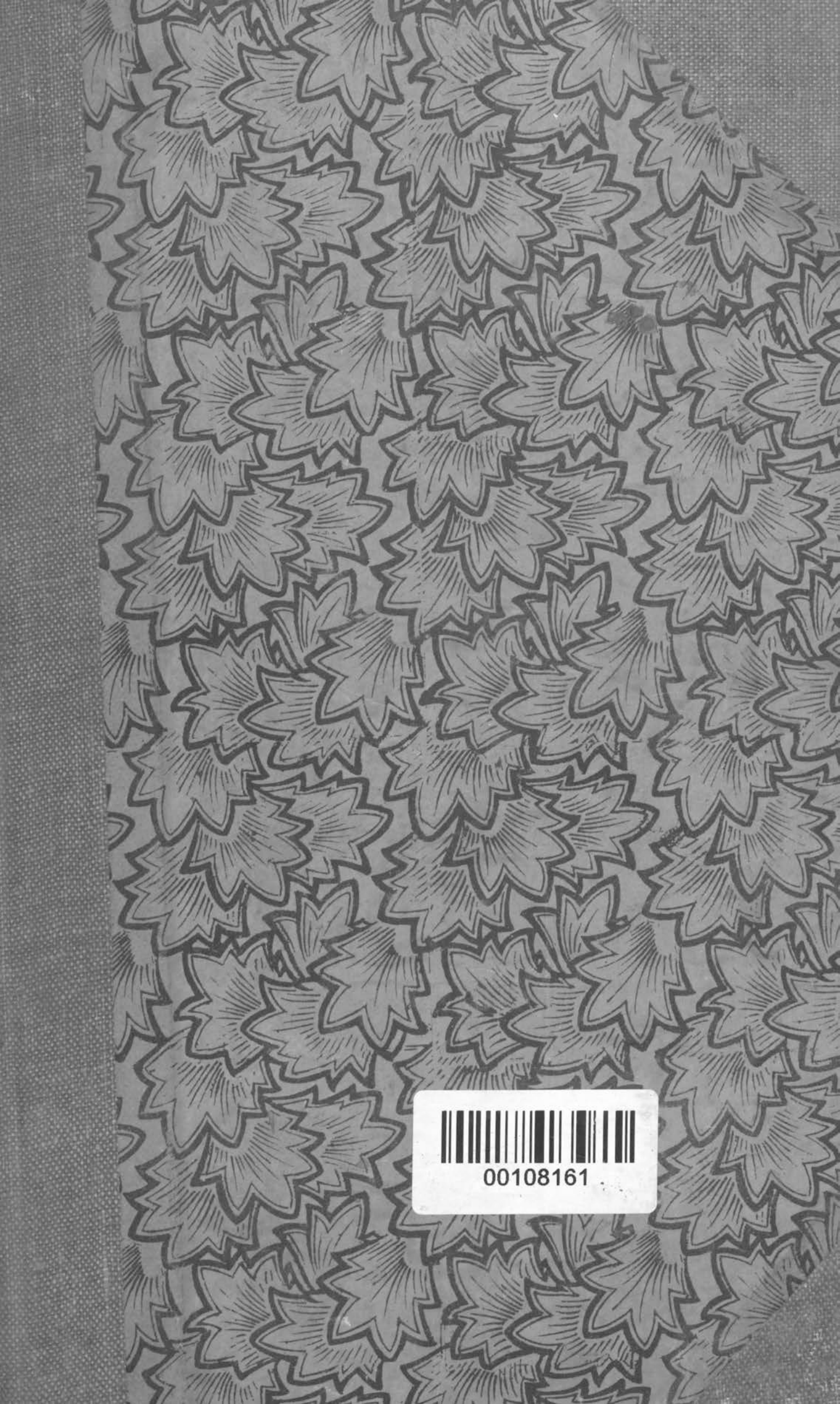
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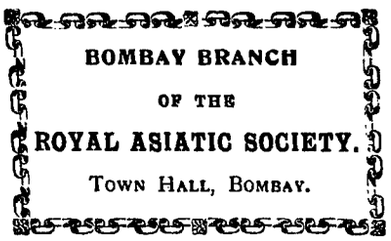

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A

COLLECTION

OF THE

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PUBLIC GENERAL STATUTES,

PASSED IN THE

Eleventh Year

OF THE REIGN OF HIS MAJESTY

KING *GEORGE* the FOURTH

AND THE

First Year

OF THE REIGN OF HIS MAJESTY

KING *WILLIAM* the FOURTH:

Being the FOURTH SESSION of the EIGHTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland.*

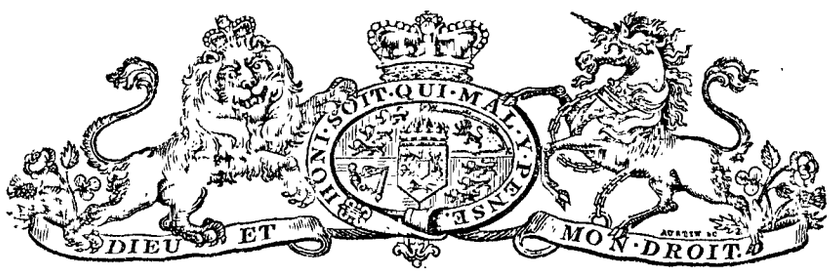

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TABLE

OF

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lxv. An Act for amending and extending the Provisions of an Act passed in the Sixth Year of the Reign of His present Majesty, for the rebuilding of *Kingston Bridge*, and for improving and making suitable Approaches thereto. 2041

lxvi. An Act for building a Bridge over the River *Trent*, from *Dunham* in the County of *Nottingham* to the opposite Shore in the County of *Lincoln*. 2049

lxvii. An Act for building a Bridge over the River *Wensum*, in the Hamlet of *Heigham* and the Parish of *Saint Clement* in the County of the City of *Norwich*. 2101

lxviii. An Act for erecting and maintaining a Bridge over *Stonehouse Mill Pool*, at or near *Stonehouse Mills* in the County of *Devon*. 2141

lxix. An Act for building a Bridge over the River *Avon*, from *Clifton* in the County of *Gloucester* to the opposite Side of the River in the County of *Somerset*, and for making convenient Roads and Approaches to communicate therewith. 2173

lxx. An Act to incorporate certain Persons to be called "The *Hungerford* Market Company," for the Re-establishment of a Market for the Sale of Fish, Poultry, and Meat, and other Articles of general Consumption and Use, and for other Purposes. 2237

lxxi. An Act for establishing a Market in the Parish of *Saint Mary-le-bone* in the County of *Middlesex*. 2289

lxxii. An Act for the Management and Direction of the Hospital founded by *Joseph Barrington* and his Sons in the City of *Limerick*. 2305

lxxiii. An Act for altering and amending an Act passed in the Twelfth Year of the Reign of His Majesty King *George* the Second, for establishing and well governing an Hospital or Infirmary in the City of *Bath*, and for constructing Baths therein, and supplying the same with Water from the Hot Baths in the said City. 2313

lxxiv. An Act to enable the *London* Assurance Companies and their Successors to purchase Annuities upon or for Lives, and also to lend Money or Stock upon Mortgage, for the Purpose of Investment. 2333

lxxv. An Act for better assessing and collecting the Poor and other Rates in the Parish of *Foleshill* in the County of the City of *Coventry*. 2341

lxxvi. An Act for better assessing and recovering the Rates for the Relief of the Poor within the City of *New Sarum*, and enlarging the Powers of an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for consolidating the Rates to be made for the Relief of the Poor of the respective Parishes of* Saint Thomas, Saint Edmund, *and* Saint Martin, *in the City of* New Sarum. 2353

lxxvii. An Act for further regulating the Statute Labour, and repairing the Highways and Bridges, in the County of *Peebles*. 2365

lxxviii. An Act for making and maintaining Roads, Bridges, and Ferries, and for converting, regulating, and making effectual the Statute Labour, in the County of *Inverness*. 2393

lxxix. An Act to commute for Lands and a Corn Rent the ancient Compositions in lieu of Tithes and Glebe Lands payable to the Rector of the Parish of *Barnwell Saint Andrew* with *Barnwell All Saints* annexed in the County of *Northampton*. 2433

lxxx. An Act for prolonging the Term of certain Letters Patent granted to *James Hollingrake* for an improved Method of manufacturing Copper or other Metal Rollers, and of casting and forming metallic Substances into various Forms, with improved Closeness aud Soundness of Texture. 2441

lxxxi. An Act for more effectually repairing and improving the Road from *Wendover* to the Town of *Buckingham* in the County of *Buckingham*. 2445

lxxxii. An Act for more effectually repairing and improving the Roads from *Lewes*, through *Offham*, to *Witch Cross*, from the *Cliffe* near *Lewes*, through *Uckfield*, to *Witch Cross*, and from the said *Cliffe*, through *Ringmer*, *Heathfield*, and *Burwash*, to *Hurst Green*, all in the County of *Sussex*. 2453

lxxxiii. An Act for more effectually repairing and maintaining the Road between *Hockliffe* in the County of *Bedford* and *Stony Stratford* in the County of *Buckingham*. 2465

lxxxiv. An Act for altering, improving, diverting, and maintaining the Road from *Rotherham* to the *Four Lane Ends*, near *Wortley*, in the West Riding of the County of *York*. 2473

lxxxv. An Act for more effectually repairing the Road from *Blackburn* to *Walton Cop* within *Walton in le Dale* in the County of *Lancaster*. 2485

lxxxvi. An Act for amending an Act of the last Session, intituled *An Act for more effectually repairing and improving several Roads which lead to and through the Town and Borough of* Chard *in the County of* Somerset, *and for making and maintaining a new Road from* Chard *to* Drempton *in the County of* Dorset; and for making and maintaining other Roads communicating with the said Roads, in the Counties of *Somerset*, *Devon*, and *Dorset*. 2493

lxxxvii. An

lxxxvii. An Act for completing, improving, and maintaining the Road from *Wibsey Low Moor*, near *Bradford*, through *Brighouse*, to *Huddersfield*, with certain Diversions therefrom, in the West Riding of the County of *York*. 2497

lxxxviii. An Act for repairing the Turnpike Road from the Top of *Whitesheet Hill* to the *Wilton* Turnpike Road at or near *Barford* in the County of *Wilts*. 2509

lxxxix. An Act for repairing, altering, and improving the Roads from *Ashbourne* to *Sudbury*, and from *Sudbury* to *Yoxall Bridge*, and from *Hatton Moor* to *Tutbury*, and from *Uttoxeter* to or near the Village of *Draycott-in-the-Clay*, and from *Hadley Plain*, on the late Forest or Chase of *Needwood*, to *Callingwood Plain* on the same late Forest or Chase. 2517

xc. An Act for repairing the Road from *Foston Bridge* to the Division Stone on *Witham Common* in the County of *Lincoln*. 2533

xci. An Act for more effectually repairing and improving the Road from *Temple Normanton* to *Buntingfield Nook* in the County of *Derby*, and the Road from *Tupton Nether Green* to *Stubbing Edge Lane* and *Knot Cross* in the said County. 2541

xcii. An Act for improving and maintaining the Road from *Werneth* to *Littleborough*, and other Roads communicating therewith, in the County of *Lancaster*. 2549

xciii. An Act for more effectually repairing and improving the Road leading from the Town of *Stamford* to the Division Stone in *South Witham* in the County of *Lincoln*. 2565

xciv. An Act for repairing the Road from *Birmingham*, through *Warwick* and *Warmington*, in the County of *Warwick*, to the utmost Limits of the said County on *Edgehill*. 2573

xcv. An Act for more effectually repairing and improving certain Roads between the Towns of *Derby*, *Mansfield*, and *Nutthall* in the Counties of *Derby* and *Nottingham*. 2581

xcvi. An Act for making and maintaining a new Turnpike Road from the Town of *Kingston-upon-Hull* in the County of the said Town to *Hedon* in the County of *York*. 2593

xcvii. An Act for improving several Roads and making certain new Roads in the Counties of *Devon* and *Somerset*, leading to and from the Town of *Tiverton*; and for amending an Act of His present Majesty, for repairing several Roads leading from and through the Town of *Wiveliscombe*. 2605

xcviii. An Act for more effectually repairing and improving several Roads leading to and from or near to the Towns of *Ashburton* and *Totnes* in the County of *Devon*. 2633

xcix. An Act for amending and improving the Road from *Tonbridge* to *Ightham*, and other Roads communicating therewith, in the County of *Kent*. 2641

c. An Act for more effectually repairing and improving the Road from *Cromford Bridge* to the Turnpike Road at or near *Langley Mill* in the County of *Derby*. 2649

ci. An

ci. An Act for more effectually repairing and improving several Roads leading from the Market Cross in the Town of *Warcham*, and in *Purbeck*, in the County of *Dorset*. 2657

cii. An Act for making, repairing, widening, and keeping in repair certain Roads and Bridges in the County of *Caithness*, and for better regulating and rendering more effectual the Statute Labour in the said County, and Conversion Money in lieu thereof. 2665

ciii. An Act for more effectually repairing and improving the Roads from *Saltfleet* to the Town of *Horncastle*, and other Roads therein mentioned, all in the County of *Lincoln*. 2681

civ. An Act for more effectually repairing the Roads from *Hand Cross*, through *Cowfold*, to *Corner House*, and from thence to the Turnpike Road from *Horsham* to *Steyning*, and from *Corner House* aforesaid to the *Maypole* in the Town of *Henfield*, and certain Branches therefrom, all in the County of *Sussex*. 2689

cv. An Act for improving and maintaining the Turnpike Roads from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to the Town of *Duffield*, and from the Market Place in *Wirksworth* to the Turnpike Road leading from *Derby* to *Brassington*, and from the said Market Place to the Turnpike Road leading from *Wirksworth Moor* to *Matlock Bath*, all in the County of *Derby*. 2697

cvi. An Act for improving and maintaining the Road leading from *Walsall* to *Muckley Corner*, near *Lichfield*, and other Roads in the County of *Stafford*. 2709

cvii. An Act for more effectually repairing several Roads leading from the Bounds of the County of *Cork* to the City of *Waterford*. 2725

cviii. An Act for more effectually repairing and keeping in repair the Turnpike Roads in the County of *Peebles*, for making and maintaining certain new Roads, and for rendering Turnpike certain Parish Roads in the said County. 2777

cix. An Act for more effectually repairing and keeping in repair the Road from *Cramond Bridge* to the Town of *Queensferry*, the Road leading Westward therefrom through *Dalmeny* to *Echline*, and the Road from the West End of the said Town of *Queensferry* to the Town of *Linlithgow*, in the County of *Linlithgow*. 2797

cx. An Act for more effectually repairing the Road from *Carlisle* to *Penrith*, and from *Penrith* to *Eamont Bridge*, in the County of *Cumberland*. 2809

cxi. An Act for improving and repairing the Road leading from *Newcastle* in the County of *Limerick* to the City of *Limerick*, and from thence to *Charleville* in the County of *Cork*. 2817

cxii. An Act for repairing and maintaining the Roads from the Town of *Dundalk* in the County of *Louth* to the Towns of *Castle Blaney* and *Carrickmacross* in the County of *Monaghan*. 2873

cxiii. An Act for more effectually repairing the Road from the Town of *Rickmersworth* in the County of *Hertford*, through the Village of *Pinner*, to or near the *Swan* Public House at *Sudbury Common*, in the Turnpike Road leading from *Harrow* to *London*. 2925

cxiv. An Act to improve the Road through the Town of *Bromley* in the County of *Kent*. 2933

cxv. An Act for the further Improvement and Support of the Passage across the Frith of *Forth* called the *Queensferry*. 2941

cxvi. An Act for paving, lighting, watching, watering, cleansing, repairing, widening, and otherwise improving the Streets, Lanes, and other public Passages and Places within the Town of *Yeovil* in the County of *Somerset*, and for regulating the Police thereof. 2977

cxvii. An Act to amend Two Acts of His late Majesty, for paving, cleansing, lighting, and watching the Town of *Dovor*, and for removing and preventing Nuisances and Annoyances therein. 3037

cxviii. An Act to enable the Commissioners of Wide Streets to widen and improve certain Ways, Streets, and Passages in and about the City and County of *Dublin*; and to amend and extend the Provisions of Two Acts passed in the Forty-seventh and Fifty-seventh Years of the Reign of His late Majesty, for improving and rendering more commodious such Parts of the County and County of the City of *Dublin* as are situate on the South Side of the River *Anna Liffey* and West of His Majesty's Castle of *Dublin*. 3077

cxix. An Act for more effectually maintaining, improving, and extending the Harbour of *Dundee* in the County of *Forfar*. 3097

cxx. An Act to amend an Act passed in the Fifth Year of the Reign of His present Majesty, for the completing the Harbour of *Courtown*, near *Brenoguehead*, in the County of *Wexford*. 3145

cxxi. An Act for enlarging, improving, and maintaining the Port and Harbour of *Perth*; for improving the Navigation of the River *Tay* to the said City; and for other Purposes therewith connected. 3149

cxxii. An Act for making and maintaining a Navigable Cut or Canal from Lough *Corrib* to the Bay of *Galway*, and for the Improvement of the Harbour of *Galway*. 3185

cxxiii. An Act for improving the Harbour of *Port Glasgow*, constructing a Wet Dock or Wet Docks adjacent thereto, and for altering the Road leading from *Port Glasgow* to *Glasgow* near the said Harbour. 3237

cxxiv. An Act for better supplying the Inhabitants of the Borough of *Macclesfield* in the County of *Chester* with Water, and to establish the Rates payable for the same. 3273

cxxv. An Act for amending certain Acts for making the *Glasgow* and *Garnkirk* Railway, and for raising a farther Sum of Money. 3309

cxxvi. An

cxxvi. An Act for the Improvement of the *Shannon* Navigation, from the City of *Limerick* to *Killaloe*, by rebuilding the Bridge called *Baal's Bridge*, in the said City. 3313

cxxvii. An Act for establishing a Floating Bridge over the Harbour of *Dartmouth*, from or near to *Lower Sand Quay Point* to *Old Rock*, in the County of *Devon*, and for building Quays and Landing Places, and for making Roads and Approaches thereto, with Branches therefrom. 3329

cxxviii. An Act for maintaining and repairing the Road leading from the City of *Glasgow*, through *Cowcaddens*, to the North End of the Bridge over that Part of the River of *Kelvin* called the *Milnford* of *Garscube*, and for making, repairing, and maintaining the Road leading from *Blackquarry* Toll Bar, by *Possil*, to the Bridge across the River *Allander* at *Langbank*, in the Counties of *Lanark* and *Stirling*. 3377

cxxix. An Act for rebuilding the Bridges over the Rivers *Spey* and *Findhorn*, for making Accesses thereto, and for making and maintaining certain new Roads in the County of *Elgin*. 3397

cxxx. An Act for more effectually repairing the Road from *Ashborne* in the County of *Derby* to a Messuage or Public House in the Occupation of *John Frost*, near *Belpar Bridge*, in the said County of *Derby*. 3413

cxxxi. An Act for repairing and otherwise improving the Road from *Beverley*, by *Molescroft*, to *Kendell House*, and the Road from *Molescroft* to *Bainton Balk*, in the County of *York*. 3421

1° GUL. IV.

cxxxii. An Act for prohibiting Burying and Funeral Service in a Chapel of Ease intended to be built for the Parish of *Saint George Bloomsbury* in the County of *Middlesex*. 3429

cxxxiii. An Act for empowering the Marquis of *Bute* to make and maintain a Ship Canal, commencing near the Mouth of the River *Taff* in the County of *Glamorgan*, and terminating near the Town of *Cardiff*, with other Works to communicate therewith. 3433

cxxxiv. An Act for establishing and maintaining the Harbour of *Port Crommelin* in the Bay of *Cushendun* in the County of *Antrim*. 3481

cxxxv. An Act to amend an Act passed in the Forty-first Year of His late Majesty King *George* the Third, intituled *An Act for more effectually improving and maintaining the old Harbour of* Rye *in the County of* Sussex; and to appoint new Commissioners; and to enable the Commissioners to raise additional Funds on the Tolls, by way of Mortgage or otherwise. 3501

cxxxvi. An Act to amend an Act of His late Majesty, for more effectually draining and preserving certain Marsh Lands or Low Grounds in the Parishes of *Sandhurst*, *Newenden*, *Rolvenden*, *Tenterden*, *Wittersham*,

Wittersham, Ebony, Woodchurch, Appledore, and *Stone,* in the County of *Kent,* and *Ticehurst, Salehurst, Bodiam, Ewhurst, Northiam, Beckly, Peasmarsh, Iden,* and *Playden,* in the County of *Sussex.* 3521

cxxxvii. An Act to continue, until the Fifth Day of *July* One thousand eight hundred and thirty-one, an Act passed in the Ninth Year of His late Majesty's Reign, to enable His Majesty's Justices of the Peace for the County of *Surrey* to nominate and appoint Two or more Persons to act as Principal Land Coal Meters within and for the several Places therein mentioned. 3529

cxxxviii. An Act for amending and continuing an Act for repairing Roads in the County of *Renfrew,* and for altering the Line of Road between *Glasgow* and *Kilmarnock* in the said County. 3533

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

11° GEO. IV.

1. An Act for inclosing Lands in the Parishes of *Kingston*, near *Lewes*, and *Iford*, in the County of *Sussex*. 3

2. An Act for inclosing the Forest of *Roach* otherwise *Roche* otherwise *Neroach* otherwise *Neroche*, in the Parishes of *Broadway*, *Bickenhall*, *Beercrocombe*, *Ilton*, *Barrington*, *Ashill*, *Ilminster*, *Whitelackington*, *Curland*, *Donyatt*, *Isle-Abbotts*, *Hatch-Beauchamp*, and the Tithing of *Domett* in the Parish of *Buckland Saint Mary*, or some or one of them, in the County of *Somerset*. 29

3. An Act for dividing and inclosing certain Moss and other Grounds in the Manors and Townships of *Out Rawcliffe* and *Middle Rawcliffe*, and *Stalmine with Stainall*, in the Parishes of *Saint Michael-upon-Wyer* and *Lancaster*, in the County Palatine of *Lancaster*. 53

4. An Act for inclosing Lands and extinguishing Tithes in the Parish of *Haddenham* in the County of *Buckingham*. 81

5. An Act for inclosing Lands in the Parish of *Wistow* in the County of *Huntingdon*; and for extinguishing the Tithes in the said Parish. 129

6. An Act for inclosing Lands in the Tithings of *Arle* and *Arlestone* otherwise *Allstone* in the Parish of *Cheltenham* in the County of *Gloucester*, and for discharging from Tithes Lands in the said Tithings. 161

7. An Act for inclosing Lands in the Parishes of *Stanley Saint Leonard's* otherwise *Leonard Stanley* and *Eastington*, or one of them, in the County of *Gloucester*, and for discharging from Tithes Lands in the said Parish of *Stanley Saint Leonard's* otherwise *Leonard Stanley*. 189

8. An Act for inclosing and exonerating from Tithes Lands in the Parish of *Caxton* in the County of *Cambridge*. 221

9. An Act for dividing and allotting Lands within the Parishes of *Weston Zoyland* and *Middlezoy* in the County of *Somerset*. 253

10. An Act for inclosing and exonerating from Tithes Lands in the Parish of *Whaddon*, including the Hamlet of *Nash*, in the County of *Buckingham*. 277

11. An Act for dividing, allotting, and inclosing, and for exonerating from Tithes, Lands within the Township or Hamlet of *Deddithorpe* otherwise *Derrythorpe* in the Parish of *Althorpe* in the *Isle of Axholme* in the County of *Lincoln*. 313

12. An Act for inclosing certain Lands in the Parish of *Hagley* in the County of *Worcester.* 341

13. An Act for inclosing Lands in the Townships of *Blacktoft, Gilberdike,* and *Faxfleet,* in the Parish or Parochial Chapelry of *Blacktoft,* and in the Parishes of *Eastrington* and *South Cave,* in the East Riding of the County of *York.* 369

14. An Act for inclosing Lands in the Townships of *Great Strickland* and *Thrimby* in the Parish of *Morland* in the County of *Westmorland.* 397

15. An Act for inclosing Lands in the Parish of *Standon* in the County of *Hertford.* 417

16. An Act for inclosing Lands within the several Parishes of *Kidwelly, Saint Mary* in *Kidwelly, Saint Ishmael,* and *Pembrey,* in the County of *Carmarthen.* 449

17. An Act for inclosing Lands in the Parish of *Monks Risborough* in the County of *Buckingham.* 473

18. An Act for inclosing Lands in the Parish of *Kingsbury Episcopi* in the County of *Somerset.* 517

19. An Act for inclosing Lands in the Parish of *Little Addington* in the County of *Northampton.* 537

20. An Act for vesting certain Parts of the Real Estates devised by the Will of *John Williams* Esquire, deceased, in the County of *Stafford,* in Trustees, in Trust to carry into execution a Contract entered into for Sale thereof, and to apply the Money arising from such Sale in manner therein mentioned. 565

21. An Act to vest a Part of the entailed Estate of *Dunure* and others, in the County of *Ayr,* in Trustees in Fee Simple, for the Purpose of disposing of or applying the Lands so vested, or the Price thereof, or the Securities to be granted thereon, towards satisfying the Debts contracted for Money laid out in the Improvement of the said entailed Estate. 581

22. An Act for enabling the Bishop of *London* to grant Building Leases of certain Estates belonging to the said See. 601

23. An Act for vesting the legal Estate in certain Estates late of *Ann Budgen,* formerly vested in *Elizabeth Pedder* deceased in Mortgage, in *Edward Rawlings,* the present Mortgagee and Trustee of the Equity of Redemption thereof. 609

24. An Act to enable the Trustees under the Marriage Settlement of *Bouchier Marshall* Clerk, deceased, and *Elizabeth* his Wife, also deceased, to effect a Sale of the Advowson of the Church of *Bow* otherwise *Nymet Tracey* in the County of *Devon.* 617

25. An Act to enable the Wardens and Governors of the Possessions, Revenues, and Goods of the Free Grammar School of Sir *Roger Cholmeley* Knight, in *Highgate,* to pull down their present Chapel, and to

contribute towards the Erection of a new Chapel or Church in *Highgate;* and for other Purposes. 629

26. An Act for the Resettlement of certain Interests in the Trust Estate of *William Browne* deceased, and for other Purposes. 645

27. An Act for selling the entailed Lands and Estates of *Gordonstown* and others, in the Counties of *Elgin* and *Forres*, belonging to Sir *William Gordon Gordon Cumming* Baronet, or so much thereof as may be necessary, and to apply the Price arising therefrom in the Payment of the Debts affecting or that may be made to affect the said Lands and Estates. 665

28. An Act to enable Sir *William Purves Hume Campbell* of *Marchmont*, Baronet, and the Heirs of Entail of the Lands and Barony of *Greenlaw* in the County of *Berwick*, to grant Feus of Parts of the said Lands and Barony. 701

29. An Act for exchanging a Fee Simple Estate belonging to *Edward Dyke Poore* Esquire, situate at *Ablington* in the County of *Wilts*, for an Estate under Settlement, devised by the Will of the late *Edward Poore* Esquire, situate at *North Tidworth* in the same County; and for authorizing the Investment of a Sum of Money in the Purchase of other Lands, to be settled to the like Uses. 713

30. An Act for vesting the Estates in the County of *Lincoln* devised by the Will of *Mary Hutton* deceased, in Trustees, upon Trust to sell the same, and for laying out the Monies arising from such Sales in the Purchase of more convenient Estates, to be settled to the same Uses. 733

31. An Act for vesting the Settled Estates of the Most Honourable *George Augustus Francis Rawdon Hastings* Marquis of *Hastings*, situate in *Scotland*, in the said Marquis in Fee. 757

32. An Act for confirming a Partition made by *George Marmaduke Alington* and *Samuel Rowe* Esquires of Estates in the County of *Lincoln* devised in undivided Moieties by the respective Wills of *Sarah Rowe* and *Elizabeth Rowe* deceased. 781

33. An Act for carrying into effect a Contract entered into for the Sale of certain Freehold and Leasehold Estates in the Parishes of *Merthyr Maur*, *Saint Brides Major*, and *Coitee*, in the County of *Glamorgan*, the Estate of *Richard Franklen* Esquire, to the Right Honourable Sir *John Nicholl* Knight; and for applying the Money thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates sold. 805

34. An Act for vesting Part of the Estates devised by and settled to the Uses of the Wills of *James Gordon* Esquire, and of his Son *James Gordon* Esquire, both deceased, situate in the Counties of *Hertford* and *Somerset*, and in the Island of *Antigua* in the *West Indies*, in Trustees, to be sold, and for laying out the Monies thence arising in the Purchase of other Estates, and for other Purposes. 825

35. An Act for empowering *George William* Duke of *Argyll* and his Trustee to borrow a Sum of Money, and to make it a Charge on the Estate of *Argyll*, upon certain Conditions. 853

36. An Act for authorizing Leases to be granted of such of the Estates in the County of *Cornwall* as were devised by the Will of Sir *Christopher Hawkins* Baronet, deceased, to *Christopher Henry Thomas Hawkins*, an Infant, during his Life. 889

37. An Act for authorizing the granting of Building and other Leases of Freehold Ground and Hereditaments late the Property of Dame *Mary Evelyn*, deceased, in the Parishes of *Saint Paul* and *Saint Nicholas Deptford*, in the County of *Kent*. 905

38. An Act for renewing, granting, and confirming certain Powers and Authorities to Sir *Peter Pole* Baronet, given or limited by the Will of Sir *Charles Pole* Baronet, deceased, and an Indenture of Release affecting his Estates in the County of *Southampton*. 933

39. An Act for exchanging the Estates in the County of *Northampton* of which the Most Noble *Walter Francis Douglas Montagu* Duke of *Buccleuch* and *Queensberry* is Tenant in Tail under the Will of the Most Noble *John* late Duke of *Montagu*, deceased, for some of his Settled Estates in the Counties of *Lancaster* and *York* of which he is Tenant for Life under the Will of the Most Noble *Elizabeth* late Duchess of *Buccleuch* and *Queensberry*, deceased. 953

1° GUL. IV.

40. An Act for vesting an Estate at *Liverpool* in the County of *Lancaster*, devised and settled by the Will of *Moses Benson* Esquire, deceased, in Trustees, to be sold, and for laying out the Monies arising from such Sale in the Purchase of Estates, to be settled to the same Uses. 985

41. An Act for vesting Estates, of which *Gifford Warriner* Esquire, a Lunatic, is Tenant in Tail, in Trustees, for Sale, and also for effecting a Partition of certain Parts thereof, and for granting Leases. 1001

42. An Act to enable the Guardian of the Right Honourable *Richard* Lord *Cremorne*, an Infant, to carry into effect a Contract entered into for the Purchase of *Rockcorry Castle* and adjoining Lands in the County of *Monaghan* in *Ireland*. 1037

43. An Act to authorize the granting of Mining and Building Leases of certain Parts of the Estates subject to the Trusts of the Will of *Benjamin Hall* Esquire, deceased. 1045

44. An Act to authorize the granting of Leases of Lands Parcel of the Prebend of *Stoke Newton* or *Newnton* otherwise *Newington*, in the County of *Middlesex*, founded in the Cathedral Church of *Saint Paul* in *London*, to the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*; and for empowering the Prebendary of the said Prebend and the Rector of the Rectory or Parsonage of *Stoke Newington* respectively to grant Building Leases; and for other Purposes. 1077

45. An

45. An Act to enable *John Buckle* Esquire, or other Committee of the Estate of *William Buckle*, a Lunatic, for and in the Name and on behalf of the said *William Buckle*, to consent to the Exercise of a Power of Sale over Estates settled on the said *William Buckle* for his Life, and which Power is exercisable with the Consent of the said *William Buckle*. 1101

46. An Act to enable the Devisees under the last Will and Testament of the Right Honourable *Henry* Lord *Mount-Sandford*, deceased, to make Leases of the Lands, Tenements, and Hereditaments lately in the Possession of the said *Henry* Lord *Mount-Sandford*, and devised by his said Will; and also to enable the said Devisees to execute a Conveyance to the Rector of *Kilkevan* of a certain Piece of Ground situate in the Parish of *Kilkevan* and County of *Roscommon*. 1121

47. An Act for establishing and carrying into execution the Trusts created by the last Will and Testament of *John Gwyn*, late of the City of *Londonderry*, Merchant, deceased; and for incorporating the Trustees therein named; and for other Purposes. 1141

48. An Act for the Improvement of the Town of *Greenwich* in the County of *Kent*, and for the better Regulation of *Roan*'s Charity there. 1161

49. An Act to amend an Act of King *George* the Third, intituled *An Act for inclosing Lands in the Manor of* Meltham *in the Parish of* Almondbury *in the West Riding of the County of* York. 1181

50. An Act to effect an Exchange of Part of the Estates in the County of *Durham* devised by the Will and Codicil of *William Russell* Esquire, deceased, for Part of the Estates comprised in the Settlement made in pursuance of the Articles upon the Marriage of the Most Honourable *Charles William Vane* Marquess of *Londonderry* with the Most Honourable *Frances Anne Vane* Marchioness of *Londonderry*. 1197

PRIVATE ACTS,

NOT PRINTED.

11° GEO. IV.

51. An Act to dissolve the Marriage of the Right Honourable *Edward* Baron *Ellenborough* with the Right Honourable *Jane Elizabeth* Baroness *Ellenborough* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

52. An Act for naturalizing *John Anthony Fructuozo*.

53. An Act to dissolve the Marriage of *Joseph Salisbury Muskett* Esquire with *Mary Muskett* his now Wife, and to enable him to marry again; and for other Purposes.

54. An Act for inclosing Lands within the Parish of *Charminster* in the County of *Dorset.*

55. An Act to dissolve the Marriage of *John Hadley D'Oyly* Esquire with *Charlotte* his now Wife, and to enable him to marry again; and for other Purposes.

56. An Act to dissolve the Marriage of *Thomas Wallis* Esquire with *Charlotte Augusta Amelia* his now Wife, and to enable him to marry again; and for other Purposes.

57. An Act for naturalizing *Philip Augustus De Chapeaurouge.*

58. An Act for dissolving a certain Partnership Company known by the Name of The *Welsh* Iron and Coal Mining Company; and for enabling the Directors and Trustees thereof to dispose of the Estate and Effects of the Concern, and divide the Surplus, after Payment of Debts and Expences, amongst the Shareholders of the Capital Stock therein; and for other Purposes.

59. An Act to dissolve the Marriage of *Charles Peter Shakerley* Esquire, of the Parish of *Egham* in the County of *Surrey*, with *Laure Angelique Rosalbe Shakerley* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

60. An Act to dissolve the Marriage of *William Medows Hamerton* Esquire with *Isabella Frances* his now Wife, and to enable him to marry again; and for other Purposes.

61. An Act for naturalizing *Francis Joseph Humbert.*

1° GUL. IV.

62. An Act to dissolve the Marriage of *Samuel Boydell* with *Jane Boydell Boydell* his now Wife, and to enable him to marry again; and for other Purposes.

63. An Act to dissolve the Marriage of Captain *Edward St. John Mildmay* with *Marianne Catherine* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

64. An Act to dissolve the Marriage of *James Bayley* Esquire with *Louisa* his Wife, and to enable him to marry again; and for other Purposes.

65. An Act for naturalizing *George Smith.*

66. An Act for naturalizing *John Christopher Smith.*

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

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TO THE

PUBLIC GENERAL ACTS,

11° GEO. IV. & 1° GUL. IV.

Shewing whether they relate to the Whole or to any Part of the United Kingdom, viz.

E. *signifies that the Act relates to*	England, (and Wales; if the Subject extends so far).
S.	Scotland.
I.	Ireland.
E. & I.	England and Ireland.
G.B.	Great Britain.
G.B. & I.	Great Britain and Ireland.
U.K.	The Whole of the United Kingdom.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO REGNI

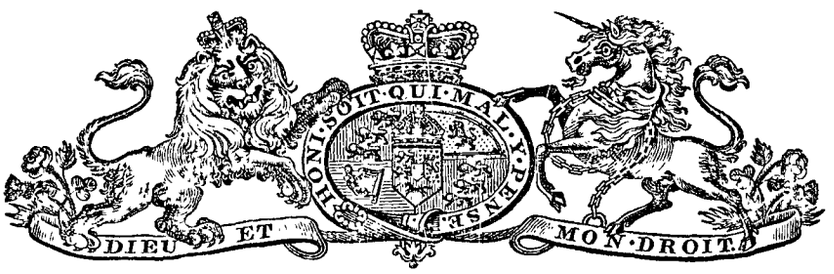
GEORGII IV.

Britanniarum Regis,

UNDECIMO.

At the Parliament begun and holden at *Westminster*, the Fourteenth Day of *November*, *Anno Domini* 1826, in the Seventh Year of the Reign of our Sovereign Lord GEORGE the Fourth, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of the Faith:

And from thence continued, by several Prorogations, to the Fourth Day of *February* 1830, being the FOURTH SESSION of the EIGHTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.



LONDON:

Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

****

CAP. I.

An Act to authorize the Transfer of certain Balances in the Hands of the Clerks of the Peace of the several Counties of *England* and *Wales* on account of Lunatic Asylums Licences. [4th *March* 1830.]

WHEREAS by an Act passed in the Fourteenth Year of His late Majesty the Clerks of the Peace of the several Counties in *England* and *Wales* were authorized to receive certain Fees for the granting of Licences to the Keepers of Lunatic Asylums: And whereas no Provision is made for the Appropriation of the Balances of the said Fees, after the Payment of the Expences directed by the said Act to be defrayed out of the said Fees: And whereas considerable Sums arising from the said Balances are now in the Possession of the Clerks of the Peace for several Counties of *England* and *Wales*: And whereas the said Act of the Fourteenth Year of His late Majesty has since been repealed, and other Provisions made for the licensing and visiting Lunatic Asylums: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Justices of the Peace of the several Counties of *England* and *Wales*, at any General Quarter or Annual Sessions of the Peace assembled, shall and may direct any Balance remaining from the Fees received under the said Act passed in the Fourteenth Year of His late Majesty, over and above the Expences directed to be

Justices at Sessions to direct Balance of Fees received for granting Licences to be

paid to the Treasurer of the County.

be defrayed by the said Act, to be paid over to the Treasurer or Treasurers of the respective Counties, and to be applied in aid of the Rates of the said Counties.

Definition of Terms.

II. And be it further enacted, That in the Construction of this Act the Word "County" shall be deemed to include any County, Riding, Division of the County of *Lincoln*, Liberty, County of a City, County of a Town, City, Cinque Port, or Town Corporate; and that the Word "Treasurer" shall include any Officer of any such Place as aforesaid who has the Custody of any Funds assessed upon or raised in such Place in the Nature of County Rates, and applicable to the Purposes to which County Rates are applicable.

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ANNO UNDECIMO

GEORGII IV. REGIS.

****

CAP. II.

An Act to apply certain Sums of Money, out of the Consolidated Fund, and from the Aids granted for the Year One thousand eight hundred and twenty-nine, to the Service of the Year One thousand eight hundred and thirty.

[4th *March* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, the Sum of Four Millions out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and also the Sum of Two millions five hundred thousand Pounds, a Part of the Sum now remaining in the Exchequer, or remaining to be received on the First Day of *February* One thousand eight hundred and thirty to complete

There shall be applied, for the Service of the Year 1830, 4,000,000*l.* out of the Consolidated Fund, and 2,500,000*l.* remaining in

the Exchequer to complete the Aids granted in 1829.

complete the Aids granted by Parliament for the Service of the Year One thousand eight hundred and twenty-nine; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 4,000,000*l.* of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty-eighth Year of the Reign of His late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act made in the Forty-eighth Year of the Reign of His late Majesty, for regulating the issuing and paying off of Exchequer Bills, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear an Interest not exceeding $3\frac{1}{2}d.$ per Cent. per Diem;

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed, as so much Cash, in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively, as so much Cash; any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash, according to the Course of the Receipt of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the

said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VII. Provided always, and be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Bank of England may advance 4,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary thereof notwithstanding.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. III.

An Act for raising the Sum of Twelve Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty.

[19th *March* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, at any Time or Times to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole the Sum of Twelve Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are prescribed in an Act passed in the Forty-eighth Year of the Reign of His late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Treasury may raise 12,000,000*l.* by Exchequer Bills, in like Manner as is prescribed by 48 G. 3. c. 1.

The Clauses, &c. in recited Act extended to this Act.

II. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Act, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Treasury to apply the Money raised.

III. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills to be payable out of the Supplies of the next Session.

IV. And be it further enacted, That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be and are hereby charged and chargeable upon and shall be paid and discharged by and out of the first Supplies to be granted in the next Session of Parliament.

Exchequer Bills to bear an Interest not exceeding 3½*d.* per Cent. per Diem.

V. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Receipt of His Majesty's Exchequer at *Westminster*.

Exchequer Bills to be current at the Exchequer after April 5, 1831.

VI. And be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall and may, from and after the Fifth Day of *April* One thousand eight hundred and thirty-one, be received and taken and shall pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable to His Majesty, His Heirs and Successors, and also at the Receipt of the said Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to His Majesty, His Heirs and Successors, for or upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act, and that such of the same Bills as shall be received at the said Exchequer shall and may be locked up and secured as Cash, according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

Bank of England may advance 12,000,000*l.* on the Credit of this Act,

VII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Twelve Millions, any

thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding. notwithstanding 5 & 6 W.& M. c. 20.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. IV.

An Act for appropriating certain Sums to the Service of the Year One thousand eight hundred and thirty. [19th *March* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, any Sum or Sums of Money which may have been or which may be paid into the Exchequer before the Fifth Day of *April* One thousand eight hundred and thirty-one, in respect of Exchequer Bills issued pursuant to Two Acts of the Fifty-seventh Year of the Reign of His late Majesty, to authorize the Issue of Exchequer Bills for the carrying on Public Works and Fisheries in the United Kingdom; and also the Balance now in the Exchequer, or which may be paid into

There shall be applied, for the Service of the Year 1830, any Sums paid into the Exchequer in respect of Exchequer Bills issued for Public Works; and

any Balance paid in by the Bank of England pursuant to 56 G. 3. c. 97.;

into the same by the Governor and Company of the Bank of *England* on or before the Fifth Day of *April* One thousand eight hundred and thirty-one, pursuant to an Act of the Fifty-sixth Year of the Reign of His late Majesty, intituled *An Act to authorize the advancing, for the Public Service, a Proportion of the Balance that shall remain from Time to Time in the Bank of* England *for the Payment of Dividends on account of the Public Debt, for Lottery Prizes or Benefits not claimed, and Principals of Stocks and Annuities remaining unclaimed;* provided that if at any Time the said Balance shall be reduced to a less Sum than One hundred thousand Pounds, then so much of the Monies advanced by the said Governor and Company shall be repaid to them as shall be equal to the Sum by which the said Balance shall be less than the Sum of One hundred thousand Pounds; and also the Sum of Sixty thousand Pounds to be paid into the Exchequer by the United Company of Merchants of *England* trading to the *East Indies*, towards the Expence of Retiring Pay, Pensions, and Allowances to His Majesty's Forces serving in *India*, in pursuance of an Act of the Fourth Year of the Reign of His present Majesty; and also the Sum of Eighty thousand five hundred and twenty-eight Pounds Seventeen Shillings and Four-pence, being the Surplus of Ways and Means granted for the Years One thousand eight hundred and twenty-three, One thousand eight hundred and twenty-four, One thousand eight hundred and twenty-five, One thousand eight hundred and twenty-six, One thousand eight hundred and twenty-seven, One thousand eight hundred and twenty-eight, and One thousand eight hundred and twenty-nine; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

60,000*l.* to be paid by the East India Company;

and 80,528*l.* 17*s.* 4*d.* from Surpluses of Ways and Means.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. V.

An Act to repeal the Provisions of certain Acts relating to the Removal of vagrant and poor Persons born in the Isles of *Jersey* and *Guernsey*, and chargeable to Parishes in *England*; and to make other Provisions in lieu thereof.

[19th *March* 1830.]

WHEREAS it is expedient to amend the Laws relative to the Removal of vagrant and poor Persons born in the Isles of *Jersey* and *Guernsey*, and chargeable to Parishes in *England*; and to make other Provisions in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the Seventeenth Year of the Reign of King *George* the Second, intituled *An Act to amend and make more effectual the Laws relating to Rogues and Vagabonds, and other idle and disorderly Persons, and to Houses of Correction*, as relates to passing Vagrants to the Islands of *Guernsey* and *Jersey*; and also so much of an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, as relates to the Removal of poor Persons born in *Jersey* and *Guernsey*, who have become chargeable to Parishes in *England*; and also to so much of an

Repeal in part of 17 G. 2. c. 5.

59 G. 3. c. 12.

and 5 G. 4. c. 83.

an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of* Great Britain *called* England, as relates to the Removal of poor Persons born in the Isles of *Jersey* and *Guernsey*, and being chargeable to Parishes in *England*, shall be and the same are hereby repealed.

Power to remove chargeable Poor born in Jersey or Guernsey, at Expence of complaining Parish.

II. And be it further enacted, That it shall be lawful for Two Justices of the Peace, and they are hereby required, upon the Complaint of the Churchwardens and Overseers of the Poor of any Parish, that any Person born in either of the Isles of *Jersey* or *Guernsey* hath become chargeable to such Parish, by himself or herself, or his or her Family, to cause such Person to be brought before them, and to examine such Person, and any other Witness or Witnesses, on Oath, touching the Place of the Birth or last legal Settlement of every such Person, and to inquire whether he or she, or any of his or her Children, hath or have gained any Settlement in that Part of the United Kingdom called *England*; and if it shall be found by such Justices that the Person so brought before them was born in either of the Isles of *Jersey* or *Guernsey*, and hath not gained any Settlement in *England*, and that he or she hath actually become chargeable to the complaining Parish, by himself or herself, or his or her Family, then such Justices shall and they are hereby empowered, by an Order of Removal under their Hands and Seals, to cause such poor Person, his Wife, and such of his or her Children so chargeable, as shall not have gained a Settlement in *England*, to be removed, by and at the Charge and Expence of the complaining Parish, to the Place of his or her Birth.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. VI.

An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in *England*, for the Service of the Year One thousand eight hundred and thirty.

[23d *March* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned: And whereas by an Act passed in the Thirty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in* Great Britain *as a Land Tax for One Year, from the Twenty-fifth Day of* March *One thousand seven hundred and ninety-eight*, the several and respective Sums of Money charged by virtue of an Act of the same Session of Parliament, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year One thousand seven hundred and ninety-eight*, on any Manors, Messuages, Lands, Tenements, or Hereditaments in *Great Britain*, are, after the Twenty-fifth Day of *March*

38 G. 3. c. 60.

38 G. 3. c. 5.

March One thousand seven hundred and ninety-nine, continued and made perpetual, with a Provision that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit, or any Salaries, Gratuities, Bounty Monies, Rewards, Fees, Profits, Perquisites, Advantages, Pensions, Annuities, Stipends, or yearly Payments in the said Act mentioned, should, after the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine, be ascertained, raised, levied, collected, and paid, according to the Directions of any Act or Acts to be passed for that Purpose: And whereas the Sums of Money and Duties last mentioned have been from Time to Time continued by divers Acts of Parliament, and are now in force until the Twenty-fifth Day of *March* One thousand eight hundred and thirty; therefore we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Sums of Money and Duties which shall have been or shall be charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, Chattels, or other Personal Estate, by virtue of the said Act passed in the Thirty-eighth Year of the Reign of His said late Majesty, for granting an Aid to His Majesty by a Land Tax, and also the several Sums of Money and Duties which by virtue of the said recited Act, made in the Thirty-eighth Year of His said late Majesty's Reign, for granting an Aid to His Majesty by a Land Tax, were charged in respect of any Public Offices or Employments, or any Annuities, Pensions, Stipends, or other annual Payments, and which have been continued and are in force until the Twenty-fifth Day of *March* One thousand eight hundred and thirty, shall be continued, and raised, levied, collected, and paid unto His present Majesty within the Space of One Year from the said Twenty-fifth Day of *March* One thousand eight hundred and thirty.

The Duties charged upon Personal Estates, Offices, and Pensions, by recited Acts, further continued.

II. And be it further enacted, That the several Clauses and Provisions contained in an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in* England; *and also for granting certain Duties on Sugar imported; for the Service of the Year One thousand eight hundred and twenty-five*, for the ascertaining, assessing, taxing, regulating, paying, and accounting for the Duties on Personal Estates, Offices, and Pensions, shall extend and be construed to extend to the Duties on Personal Estates, Offices, and Pensions hereby granted and continued, except where other Provisions are made by this Act; and that the several Clauses and Provisions in the said Act contained, which relate or refer to any Day or Time within or during or before or after the Year commencing from the Twenty-fifth Day of *March* One thousand eight hundred and twenty-five, shall extend

The several Clauses of 6 G. 4. c. 9. for ascertaining and regulating the Duties extended to this Act.

and be construed to relate to the like Days and Times within or during or before or after the Year commencing from the Twenty-fifth Day of *March* One thousand eight hundred and thirty, in like Manner as by the said recited Act is directed with reference to the Year One thousand eight hundred and twenty-five, and as if the several Clauses and Provisions in the said recited Act contained were repeated and re-enacted in this present Act.

The Officers of the Exchequer to stop the Duties hereby granted out of Annuities, Pensions, &c. payable at the Exchequer, and pay the same over to the Receiver General of the Land Tax.

III. Provided always, and be it enacted, That no Assessment shall be made by any Commissioner or Commissioners, Assessor or Assessors of the Land Tax, or otherwise, on or in respect of the Duties hereby granted on Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments whatsoever payable at the Receipt of His Majesty's Exchequer; nor shall any such Duties be collected or received by any Collector of the Land Tax, or included in the Parchment or other Duplicates, as heretofore; but all and every such Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments, shall be and they are hereby respectively charged, assessed, and taxed with the Duties hereby granted or continued, at the same annual Rate and to the like Amount as the same were respectively rated, charged, and assessed under the said recited Act of the Sixth Year of His present Majesty's Reign, or under any other Act or Acts; and the proper Officer or Officers in the said Exchequer shall, and he and they is and are hereby respectively directed, authorized, and empowered from Time to Time to stop and detain such Duties out of the said Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments, or Arrears thereof, without any other or further Authority than the Provisions of this Act, and to all Intents as if such Duties had been brought into Assessment as heretofore, any thing in this Act or in any other Act or Acts contained to the contrary thereof notwithstanding; and every such Officer or Officers shall, and he and they is and are hereby required from Time to Time to pay over the said Duties so stopped to the Receiver General of the Land Tax authorized to receive the same, and to render true Lists and Accounts thereof *gratis* to the Commissioners for the Affairs of Taxes, so that such Receiver General may be duly charged therewith.

A Register to be kept of all Money paid into the Exchequer for the Duties hereby granted.

Treasury to apply the Money from Time to Time

IV. And be it further enacted, That there shall be provided and kept, in the Office of the Auditor of the Receipt of His Majesty's Exchequer at *Westminster*, One Book of Register, in which all the Money that shall be paid into the said Exchequer for the said Rates and Duties hereby granted or continued on Personal Estates, and on Offices and Employments of Profit, Pensions, Annuities, and Stipends, shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty, and shall be carried to the Consolidated Fund; and that it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

V. Pro-

Act may be altered.

V. Provided always, and be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. VII.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. [23d *March* 1830.]

WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland*, in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by His Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of Eighty-eight thousand eight hundred and forty-eight Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite, for the retaining all the beforementioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert

Number of the Forces.

His Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall, at any Time during the Continuance of this Act, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post, to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of His Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy, without His Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or use any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of His Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

Crimes punishable by Death.

II. And be it enacted, That nothing in this Act contained shall be construed to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law; and any Commanding Officer who shall neglect or refuse, when Application is made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land, or shall wilfully neglect or refuse to assist the Officers of Justice in apprehending such Offender, shall, upon Conviction thereof in any Prosecution in any of His Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service, and a Certificate thereof shall be transmitted to the Judge Advocate

The ordinary Course of Law not to be interfered with.

in *London*; provided that no Person, being acquitted or convicted of any Capital Crime, Violence, or Offence, by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be punished by a Court-martial for the same otherwise than by cashiering.

Soldiers not to be taken away from the Service for Debts under 30*l*.

III. And be it enacted, That no Person whatever (except an Apprentice) enlisted into His Majesty's Service as a Soldier shall be liable to be arrested or taken therefrom by reason of the Warrant of any Justice, on account of any Breach of Contract or Engagement to serve or work for any Employer; and no Person enlisted as a Soldier shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless an Affidavit shall be made by the Plaintiff, or some one on his Behalf, for which no Fee shall be taken, before some Judge of the Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, of which Affidavit a Memorandum shall, without Fee, be endorsed upon the Back of such Process, that the original Debt for which the Action has been brought or Execution sued out amounts to the Value of Thirty Pounds at least, over and above all Costs of Suit in the Action or Actions on which the same shall be grounded; and any Judge of such Court may examine into any Complaints made by a Soldier, or by his Superior Officer, and by Warrant under his Hand discharge such Soldier without Fee, he being shewn to be duly enlisted, and to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Place of Residence before such Listing, may file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, and proceed therein to Judgment and Outlawry, and have Execution other than and against the Body..

The King may make Articles of War in conformity with this Act.

IV. And be it enacted, That it shall be lawful for His Majesty to make Articles of War for the better Government of His Majesty's Forces, which Articles shall be judicially taken notice of by all Judges, and in all Courts whatsoever; and Copies of the same, printed by the King's Printer, shall, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War, signed with his own Hand and Name, to the Judge of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Dominions Abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or the *British* Isles, shall be subject by such Articles of War to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner or under any Regulations which shall not accord with the Provisions of this Act.

V. And

Constitution of Courts-martial.

V. And be it enacted, That His Majesty may from Time to Time grant a Commission, under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and that for bringing Offenders against the Articles of War to Justice, it shall be lawful for His Majesty to erect and constitute Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, as well as to grant His Royal Commissions or Warrants to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of His Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland*, and *British* Isles, as in any of His Majesty's Garrisons and Dominions or elsewhere beyond the Seas, for convening as well as for authorizing any Officer under their respective Command, not below the Degree of a Field Officer, to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under their several Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Sea or elsewhere commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Composition of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, *Africa*, and *New South Wales* excepted,) or in the Settlements of the *East India* Company, shall, in order to have Power to try a Commissioned Officer, or to pass Sentence of Death or Transportation on any Offender, consist of not less than Thirteen Commissioned Officers, in which Sentence of Death Nine at the least of the Officers of any Court consisting of Thirteen shall concur; and if to try any Person not of the Rank of a Commissioned Officer, shall consist of not less than Nine; and such General Courts-martial convened in *Bermuda*, or out of the King's Dominions, excepting *Africa* and *New South Wales*, shall have not less than Seven, and in *Africa* and *New South Wales* not less than Five Commissioned Officers; and in all Cases where such General Courts-martial as aforesaid shall consist of more or fewer Officers than Thirteen, no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Officers present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Powers of General Courts-martial.

VII. And be it enacted, That a General Court-martial may sentence any Soldier to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court may appoint, or to Corporal Punishment, not extending to Life

Life or Limb, for Immorality, Misbehaviour, and Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which His Majesty shall please to direct; and the Court may, in addition to any other Punishment, sentence such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as to His Majesty shall seem meet; and if any Person transported as a Felon, whether in pursuance of the original Sentence of the Court-martial, or in pursuance of such Order from His Majesty, shall afterwards return or be found at large, without Leave from His Majesty or other lawful Authority, within any Part of His Majesty's Dominions Abroad or at Home, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence or Order, and shall be duly convicted thereof, shall suffer Death as a Felon.

Trial by General Court-martial for Embezzlement.

VIII. And be it enacted, That every Paymaster or other Commissioned Officer of His Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, or Damage of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to His Majesty's Forces or for His Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, and Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and the Loss and Damage so ascertained as aforesaid shall be a Debt to His Majesty, and may be recovered in any of His Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in His Majesty's Colonies where a Person

sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known.

Powers of District or Garrison Courts-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, *Africa*, and *New South Wales*, where it may consist of not less than Five Commissioned Officers, and may sentence any Soldier to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier, at the Instance of such Soldier, with Intent to render himself or such other Soldier unfit for the Service:

In tampering with his Eyes:

In malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully protracting his Cure:

In purloining or selling Government Stores:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess:

In producing false or fraudulent Accounts or Returns:

In embezzling or fraudulently misapplying Public Money entrusted to him:

Or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature:

And if any Soldier shall be convicted of any such disgraceful Conduct, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct: And every Soldier convicted of Desertion by a District or Garrison Court-martial shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Punishment which such Court may award; and any such Court shall deprive a Soldier, if convicted of the Charge of habitual Drunkenness, of his Allowance in lieu of Beer, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial; provided that such Court-

martial shall not have Power to pass any Sentence of Death or Transportation.

Regimental Court-martial.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Regimental Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court is competent to award; and a Regimental Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement not exceeding Twenty Days.

Marking a Deserter.

XI. And be it enacted, That it shall be lawful for any Court-martial, empowered to try the Crime of Desertion, in addition to any other Punishment, to direct that the Offender be marked on the Left Side, Two Inches below the Arm-pit, with the Letter (D.), such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Powers of a Detachment Court-martial.

XII. And be it enacted, That it shall be lawful for any Officer commanding any distinct Detachment or Portion of His Majesty's Troops which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries, by any Person serving with or belonging to His Majesty's Armies, being under the immediate Command of any such Officer, to summon and cause to assemble a Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any such Person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial; provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the Army of which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong, shall have approved and confirmed the same.

Mixture of Officers upon Courts-martial.

XIII. And be it enacted, That in certain Cases where it may be necessary or expedient, Officers of His Majesty's Marine Forces may sit upon Courts-martial in conjunction with Officers of His Majesty's Land Forces, and such Courts-martial shall be regulated, to all Intents and Purposes, in like Manner as if they were composed of Officers of the Land Forces only, whether the Commanding Officer by whose Orders such Court-martial is assembled belongs to the Land or to the Marine Forces; and Officers of His Majesty's Land Forces, and Officers in the Service of the *East India* Company, when serving together, may be associated in Courts-martial, which shall, to all Intents and Purposes, be regulated in like Manner as if consisting

consisting wholly of Officers of His Majesty's Land Forces, or wholly of Officers in the Service of the *East India* Company; save and except that on the Trial of any Person in His Majesty's Service, the Provisions of this Act, and the Oaths thereby prescribed, shall be applicable; and on the Trial of any Officer or Soldier in the Service of the *East India* Company, the Provisions of an Act passed in the Fourth Year of the Reign of His Majesty, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer in the actual Service of the said Company may have a Commission from His Majesty.

Power to administer Oaths.

XIV. And be it enacted, That all General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court, in any Matter relating to any Proceedings before the same.

Proceedings of Courts-martial.

XV. And be it enacted, That in all Trials by General Courts-martial to be held by virtue of this Act every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the Oath in the Schedule to this Act annexed, before the Judge Advocate or his Deputy, or Person officiating as such, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member shall administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested; or if such Court be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and that all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*,

Dublin, or Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of His Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness had neglected to attend in a Trial in any Proceeding in that Court.

Appeal.

XVI. And be it enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

Report of Proceedings of General Courts-martial.

XVII. And be it enacted, That every Judge Advocate, or Person officiating as such at a General Court-martial, or the President of any District or Garrison Court-martial, is required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and the Person tried by such Court, or any Person in his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in His Majesty's Dominions: Provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Transportation from the United Kingdom.

XVIII. And be it enacted, That whenever it is intended that a Person convicted of Desertion shall be transported, either in pursuance of the original Sentence of a Court-martial or of His Majesty's gracious Order of Commutation as aforesaid, the Sentence of the Court-martial, together with His Majesty's Pleasure upon the same, shall be notified in Writing by the Officer commanding in chief His Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of His Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary at War or his Deputy, to any Judge of the King's Bench, Common Pleas, or Exchequer, in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon the same as such Judge is authorized to do by any Act in force touching the Transportation of other Offenders; and the Persons in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern,

shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of the same, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Transportation; and from the Time when such Order of Transportation shall be made, every Act now in force touching the Escape of Felons shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape of any such Offender; and the Justice or Baron who shall make any Order of Transportation as aforesaid shall direct the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or in His Majesty's Behalf, shewing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Transportation from the Colonies.

XIX. And be it enacted, That whenever any Person convicted of Desertion is to be transported from the *East Indies*, or from any Part of His Majesty's Foreign Dominions, either in pursuance of the original Sentence of a Court-martial or on Commutation of Capital Punishment, a similar Notification shall be made by the Officer commanding in chief His Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of His Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in such Manner and to or in such Place as shall be specified in any Directions given to such Chief Justice or Judge, in relation to any such Offender, by One of His Majesty's Principal Secretaries of State, and the necessary Proceedings shall be taken, according to such Order, for the Transportation or intermediate Custody of such Offender; and all Acts in force in such Place touching other Offenders to be transported shall in all respects apply as well to the Offender himself so to be transported as to all other Persons whatsoever therein concerned.

Offences against former Mutiny Acts may be tried under this Act.

XX. And be it enacted, That all Crimes and Offences which have been committed against any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or against any of the Articles of War made and established by virtue

of the same, may, during the Continuance of this Act, be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act, and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same; provided that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Subsequent Enlistment no Protection from Punishment for Desertion.

XXI. And be it enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, upon the Trial of any Soldier for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Person guilty, and then only for the Purpose of affixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial.

Apprehension of Deserters.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in His Majesty's Service, to apprehend, or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, or if there be no public Prison in such Place, then, at the Discretion of such Justice of the Peace, to the nearest or most convenient public Prison in the same

same or any next adjoining County, or to the Provost Marshal, in case such Deserter shall be apprehended within the City or Liberties of *Dublin*, or Places adjacent; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, or, if the Deserter be apprehended in *Ireland*, to the Chief Secretary, to the end that such Person may be removed by an Order from the Office of the said Secretary at War or Chief Secretary in *Ireland*, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act: Provided also, that no Fee or Reward shall be taken by any Justice, or his Clerk, in respect of any Information, Commitment, or Report as aforesaid.

Fraudulent Confession of Desertion.

XXIII. And be it enacted, That any Person who shall voluntarily deliver himself up as a Deserter from His Majesty's Forces or the embodied Militia, or the Forces of the *East India* Company, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Soldier, and shall be liable to serve in any of His Majesty's Forces, as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of His Majesty's Forces, he shall be deemed to be and shall be dealt with as a Deserter; and if the Person so confessing himself a Deserter shall be unfit for Service, he shall be liable to be punished as a Rogue and Vagabond, or may be prosecuted and punished for obtaining Money under false Pretences, and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence and obtaining Money.

Penalty for inducing or assisting to desert.

XXIV. And be it enacted, That every Person who shall in any Part of His Majesty's Dominions, directly or indirectly, persuade any Soldier to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter, knowing him to be such, in deserting or in concealing himself, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for forcible Entry.

XXV. And be it enacted, That every Commissioned Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Custody of Offenders under a Military Sentence.

XXVI. And be it enacted, That every Gaoler and Keeper of any Prison or House of Correction in every Part of His Majesty's Dominions shall, upon the Order in Writing of any Commanding

Officer of a District, Garrison, Regiment, or Corps, (as the Case may be,) receive into his Custody any Soldier under Sentence of Imprisonment by a General or other Court-martial, and keep him in a proper Place of Confinement, with or without hard Labour, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged, or shall, although the Period for which the Soldier was originally committed may not have expired, deliver him up to any Person producing an Order in Writing to that Effect from any such Commanding Officer as aforesaid; and every such Gaoler who shall refuse to receive and to confine any such Non-commissioned Officer or Soldier in manner as aforesaid shall forfeit for every such Offence the Sum of One hundred Pounds.

Custody of Deserters.

XXVII. And be it enacted, That the Gaoler or Person having the immediate Inspection of any Prison, Gaol, or House of Correction in every Part of His Majesty's Dominions, shall diet and supply every Soldier with Fuel and other Necessaries, according to the Regulations of the Prison to which he shall be committed, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary at War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing, signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison or House of Correction is defrayed; and such Gaoler is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or Chief Governor or Governors of *Ireland*; and such Gaoler shall be entitled to One Shilling for the safe Custody of the said Deserter, while halted on the March, and to such Subsistence for his Maintenance as shall be directed by His Majesty's Regulations.

Notice of Expiration of Imprisonment.

XXVIII. And be it enacted, That every Gaoler, to whom any Notice shall have been given that any Person in his Custody for any Offence is a Soldier liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary at War, or, if in *Ireland*, to the Chief Secretary.

Persons subject to this Act.

XXIX. And be it enacted, That all the Provisions of this Act shall apply to all Persons employed on the Recruiting Service, receiving Pay in respect of such Service, and to the Forces of the *East India* Company, while they shall be in any Part of the United Kingdom, and until their Arrival in the Territories of the *East India* Company, and to the Officers and Persons now or hereafter serving and hired to be employed in the Royal Artillery and Field Train, and Master Gunners and Gunners, and Conductors of Stores, and in the

Regiment of Royal Engineers, and in the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, in the Ordnance and in the Commissariat Departments, and who are or shall be serving with any Part of His Majesty's Forces, at Home or Abroad, under the Command of any Officer having Commission from His Majesty; and all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of His Majesty's Ordnance Establishments at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Officers, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His late Majesty, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Foreign Troops in this Country.

XXX. And be it enacted, That all Officers and Soldiers of any Troops, being mustered and in Pay, which shall be raised and serving in any of His Majesty's Dominions Abroad, or in Places in Possession of or occupied by His Majesty's Subjects, under the Command of any Officer having any Commission immediately from His Majesty, shall be liable to Martial Law in like Manner as His Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act, in regard to billetting Soldiers, shall apply to such Officers and Soldiers.

Militia and Yeomanry.

XXXI. And be it enacted, That nothing in this Act contained shall in anywise be construed to extend to any of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Case wherein by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Limitations as to certain Islands.

XXXII. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General, or Garrison, or Detachment, or Regimental Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed.

Enlisting and swearing of Recruits.

XXXIII. And be it enacted, That every Person who shall receive Enlisting Money from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or an attested Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's Service,

Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist, whether he does or does not belong to the Militia, and shall cause to be taken down, in Writing, the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Soldier in His Majesty's Land Service, he shall within Four Days, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record, or shall cause to be recorded, in Writing, his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion, to be read over, in his own Presence, to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed, before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

XXXIV. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit, declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him

him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice, before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

XXXV. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary at War, or, if in *Ireland*, to the Chief Secretary, in order that, in the Event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into any Garrison or Veteran or Invalid Battalion, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as His Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the

contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity upon being attested, or to have designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law now in force may be inflicted upon Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith;* and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man who having been enrolled to serve in the Militia at the Time of offering to enlist shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Declaration of such Person, certified by the Secretary at War, or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of His Majesty's Regular Forces, or of the *East India* Company's Forces, into which he shall have so enlisted; provided that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland*, in any Regiment, Battalion, or Corps of His Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Penalty on Officers offending against Laws regarding Enlistment.

XXXVI. And be it enacted, That every Military Officer, who shall act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, which is hereby authorized to administer such Oath, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service.

Enlistment and Re-enlistment Abroad.

XXXVII. And whereas it is expedient that Provisions should be made for the enlisting and attesting of Soldiers desirous of re-enlisting, and others desirous of enlisting, Abroad; be it therefore enacted, That it shall be lawful for any Person duly appointed by His Majesty by any Warrant signed by the Secretary at War in that Behalf, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into His Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or be disbanded at any Station beyond the Seas, it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station, to enlist as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so enlisted is hereby deemed to be discharged from his former Corps; and an attested Certificate of Transfer shall be delivered to the Soldier.

Enlistment of Negroes.

XXXVIII. And be it enacted, That all Negroes purchased by or on account of His Majesty, His Heirs and Successors, and serving in any of His Majesty's Forces, shall be deemed and taken to be free in every respect as if born free in any Part of His Majesty's Dominions, and shall be considered as Soldiers having voluntarily enlisted in His Majesty's Service; provided that nothing contained in this Act as to enlisting for limited Periods of Service, or in any other Act as to any Rules or Regulations for granting Pensions or Allowances to Soldiers discharged after certain Periods of Service, shall extend to any Negroes so purchased.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

XXXIX. And be it enacted, That any Person duly bound as an Apprentice who shall enlist as a Soldier in His Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, and shall, after the Expiration of his Apprenticeship, whether he shall

have been so convicted and punished or not, be liable to serve as a Soldier in any of His Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Forces.

Claims of Masters to Apprentices

XL. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Soldier in His Majesty's or the *East India* Company's Service, unless he shall, within One Calendar Month after such Apprentice shall have left his Service, go before some Justice and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment; and unless such Contract or Indenture so duly executed shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master, who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Aprentice, shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Punishment of Apprentices enlisting.

XLI. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried, and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party,

Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture, to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Session immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; provided that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Musters, and Penalty on false Musters.

XLII. And be it enacted, That Musters shall be taken of every Regiment, Troop, or Company in His Majesty's Service Twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters, unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Person who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicate thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service; and if the Person giving such untrue Certificate shall not have any Military Commission, he shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds; and the Informer, if he belong to His Majesty's Service, shall, if he demand it, be forthwith discharged.

Musters in and near Westminster.

XLIII. And be it enacted, That Forty-eight Hours Notice shall be given to Six Justices, not being Officers of the Army, residing within the City and Liberties of *Westminster* and Borough of *Southwark*, of the Muster to be taken of His Majesty's Forces quartered within the said City and Liberties and Borough; and no Officer shall proceed to take such Musters, under Penalty of Fifty Pounds, except in the Presence of Two or more Justices, who shall take cognizance

of such Muster, and sign the same, unless such Justices shall neglect to attend, of which Neglect, as well as of the proper Notice being given to such Justices, Oath shall be made, within Forty-eight Hours after such Muster, before any Justice; and the Officer appointed to take the Half-yearly Musters of any of His Majesty's Forces, at any Place Ten Miles distant from *London*, shall close the Muster Rolls within Twenty-four Hours after the said Muster has been made, and send a Copy thereof, within Seven Days, to the Secretary at War.

Forfeiture of Pay.

XLIV. And be it enacted, That no Soldier shall be entitled to Pay during any unauthorized Absence from Duty in His Majesty's Service, or during any Absence from Duty upon a Charge of any Offence, Civil or Military, or when in Confinement under any Sentence of any Court, or by reason of any Arrest for Debt, or as a Prisoner of War; provided that any Non-commissioned Officer, or any Soldier, acquitted of the Offence for which he was committed, shall, upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due during his Absence or Confinement; and upon rejoining His Majesty's Service from being a Prisoner of War, due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to His Majesty's Service, he may thereupon be recommended by such Court to receive either the Whole of such Arrears of Pay, or a Proportion thereof; and no Soldier who shall have been confined under any legal Sentence shall be allowed to reckon towards Pay or Pension any Part of the Period from the Day of his first Commitment to the Day of rejoining his Corps; provided that it shall be lawful for His Majesty's Secretary at War to order or withhold the Payment of the Whole or any Part of the Pay of any Officer or Soldier during the Period of his Confinement, whether before or after Conviction, or to issue any Part of the Pay of a Prisoner of War which he may think proper.

Furlough Pay.

XLV. And be it enacted, That when there shall not be any Military Officer of Rank, not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Corps or Detachment to which the Man belongs, if known, and if not, then to the Agent of the Regiment, in order that the proper Sum may be remitted to the Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline

committed by him in applying for and obtaining the said Extension of Furlough.

Marching Money on Discharge.

XLVI. And be it enacted, That every Soldier entitled to his Discharge shall, if then serving Abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expence, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at Home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted.

Commissaries to attest their Accounts.

XLVII. And be it enacted, That all Commissaries, upon making up their Accounts, and also upon returning from any Foreign Service, shall take the Oath described in the Schedule to this Act annexed; which Oath, if taken in any Part of the United Kingdom, shall be taken before some Justice, and, if taken on Foreign Service, before the Officer commanding in chief, or the Second in command, or the Quarter Master or Deputy Quarter Master General, or any Assistant Quarter Master General of the Army to which he shall be attached, who shall respectively have Power to administer the same.

Issue of Pay of the Army.

XLVIII. And be it enacted, That no Secretary at War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fourth Day of *March* One thousand eight hundred and thirty, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by His Majesty's Regulations, or by His Majesty's Order signified by the Secretary at War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay, who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeable to the several Regulations established by His Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demands it, shall be discharged from any further Service; provided that it shall be lawful for His Majesty's Secretary at War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer, Non-commissioned Officer, or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty; or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until His Majesty's Orders shall have been signified by the Secretary at War.

Penalty for Disobedience by Agents.

XLIX. And for enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents of the several Corps, be it enacted, That the said Agents are hereby required to observe such Orders as shall from Time to Time be given by His Majesty under His Sign

Manual, or by the Secretary at War, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Commissioners of the Treasury; and if any Person, being or having been an Agent, shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds; and, if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter; or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

How and where Troops may be billetted.

L. And whereas by the Petition of Right, in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred sixty-two Pounds Seventeen Shillings and Three-pence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whomsoever, should from thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billetting whatsoever: And whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, should, at any Time thereafter, be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army should be commanded to march from any Part of *Ireland* to another: But forasmuch as at this Time and during the Continuance of this Act there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, be it further enacted, That it shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in His Majesty's Service, and Persons receiving Pay in His Majesty's Army, and the Horses belonging to His Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of His Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, in Victualling Houses and other

other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in any One House, except only in case of billetting Cavalry as specially provided); and that they shall be received by the Occupiers of such Houses in which they are so allowed to be billetted, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billetted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billetted in pursuance of this Act, the Men and their Horses shall be billetted in one and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billetted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in such Case each Man shall be billetted as near his Horse as possible; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present, and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billetted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billetted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices within whose Jurisdiction such Soldiers are billetted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billetted upon other Persons, as they shall see Cause; and when any of His Majesty's Cavalry or any Horses as aforesaid shall be billetted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act, who shall have no Stables, then and in such Case, and upon Complaint made by the Person having no Stables to Two or more Justices within whose Jurisdiction such Horses shall be so billetted, it shall be lawful for such Justices to order the Men and their Horses, or Horses only, to be billetted upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billetted upon them, and to order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Men and Horses, or to be applied in the furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billetted in any Place with another Man or Horse billetted in the same Place,

for

for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billetted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billetting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Soldiers are billetted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to those Houses; and it shall be lawful to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billetted, except in the Suburbs of *Edinburgh*.

Billetting the Guards in and near Westminster.

LI. And be it enacted, That the Officers and Soldiers of His Majesty's Foot Guards shall be billetted within the City and Liberties of *Westminster*, and Places adjacent, lying in the County of *Middlesex*, (except the City of *London*,) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on Receipt of the Order for billetting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall, at every General Quarter Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billetted on each respectively, which Lists shall remain with the respective Clerks of the Peace, for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Two-pence a Sheet for the same, each Sheet to contain at least One hundred and fifty Words.

Military Officer not to act as a Justice in billetting.

LII. And be it enacted, That no Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billetting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all

Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

LIII. And be it enacted, That the Innholder or other Person on whom any Soldier is billetted in *England* shall, if required by such Soldier, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Ten-pence; and all Innholders and other Persons on whom Soldiers may be billetted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldier with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and of the necessary Utensil for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to His Majesty's Forces shall be billetted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billetted, by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*, and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billetted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers, shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billetted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any Officer as aforesaid shall not pay the same, upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters were situated, the Secretary at War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have

been billetted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Definition of Terms.

LIV. And be it enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and all Clauses and Provisions relating to the *British* Isles shall be construed to extend to *Guernsey, Jersey, Alderney, Sark,* and *Man,* and all Isles thereto and to *England* and *Ireland* belonging; and all Clauses and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billetting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables, and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland* who shall act in the Execution of this Act in relation to billetting; and all Provisions for billetting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland,* when there shall not be found sufficient Room in such Houses, then to billetting Soldiers in such Manner as has been heretofore customary; provided that no Officer or Soldier shall be billetted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London,* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Powers and Regulations as to Billets.

Exemptions from Billets.

Supply of Carriages.

LV. And be it enacted, That for the regular Provision of Carriages for His Majesty's Forces, and their Baggage, in their Marches in *England* and *Ireland,* all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, if in *England,* or by an Order from the Lord Lieutenant or Chief Governors of *Ireland,* or from the Officer commanding His Majesty's Forces in *Ireland,*

or

or other Person duly authorized in that Behalf, shall, on Production of such Order to such Justices by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which Number only so specified Payment shall be demanded, and which Number of Miles shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages, without any Special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be paid, and Mode of proceeding.

LVI. And be it enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen, or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Sixpence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and such further Rates may be added, not exceeding, in *England*, a total Addition *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions, (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice,

Justice, shall be transmitted to the Secretary at War within Three Days after the making thereof); and in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand, in the Warrant, the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; provided that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down in hand the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable; provided that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*; provided that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundred Weight at the least; provided that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained.

Supply of Carriages in Cases of Emergency.

LVII. And be it enacted, That it shall be lawful for His Majesty, or the Lord Lieutenant or Chief Governors of *Ireland*, by His or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary at War, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding His Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of His Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person, and for any Use whatsoever, but also of

Saddle Horses, Coaches, Post Chaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or Navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition to such Justice by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages, in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rate of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same; and it shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient, then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for the Carriage and Vessels aforesaid, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Carriages at Dublin.

LVIII. And be it enacted, That whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportionable Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays, and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army, on any Pretence whatsoever.

Routes in Ireland.

LIX. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper

Person to sign Routes for the marching of any of His Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

LX. And be it enacted, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses; and all Carriages and Horses belonging to His Majesty, or employed in His Service, when conveying Persons or Baggage, under the Provisions of this Act, or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto.

Ferries.

LXI. And be it enacted, That when any Soldiers on Service have occasion in their March to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXII. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billetting any Officers or Soldiers in any Part of the United Kingdom, shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier, or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels, shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person, liable by this Act to have any Officer or Soldier quartered on him, shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish

furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse, at the Rate established by any Act in force in that respect, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalties upon the Military so offending.

LXIII. And be it enacted, That if any Military Officer shall take upon him to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do any thing contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided that a Certificate thereof shall be transmitted by the said Justice to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander in Chief and Secretary at War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in case of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on purchasing Soldiers Necessaries, Stores, &c.

LXIV. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, knowing him to be such, to sell any Arms, Ammunition,

munition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, or any Regimental Necessaries, or any Article of Forage provided for any Horses belonging to His Majesty's Service, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence the Sum of Ten Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods.

Penalty on unlawful Recruiting.

LXV. And be it enacted, That all the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty on trafficking in Commissions.

LXVI. And be it enacted, That every Person, not being an authorized Army Agent, who shall negociate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in His Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negociate or receive for any Purpose whatsoever any Money or Consideration where no Price is allowed by His Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty on killing Game.

LXVII. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not liable to take Parish Apprentices.

LXVIII. And be it enacted, That no Officer of His Majesty's Forces, residing in Barracks, or elsewhere under Military Law, shall be deemed liable to have any Parish Poor Child bound Apprentice to him.

Mode of recording a Soldier's Settlement.

LXIX. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billetted, may summon such Soldier before him in the Place where he is billetted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Notification to Parishes of good or bad Conduct of Soldiers.

LXX. And be it enacted, That the Churchwardens of every Parish in *England* and *Ireland*, and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary at War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received His Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Wages of a Servant enlisting.

LXXI. And be it enacted, That it shall be lawful for the Justice before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and, in case of Neglect or Refusal to pay the same within Four Days, shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Licences of Canteens.

LXXII. And be it enacted, That when any Persons shall hold any Canteens under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices, within their respective Jurisdictions, to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to the Time of Year, or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper Officers within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

LXXIII. And

LXXIII. And be it enacted, That all Muster Rolls and Pay Lists which are required to be verified upon Oath shall be sworn before and attested by any Justice, without Fee or Reward to himself or his Clerk. Attestation of Accounts.

LXXIV. And be it enacted, That any Action which shall be brought against any Person for any thing to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become nonsuit, or suffer any Discontinuance thereof, or if, in *Scotland*, such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendants Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for any thing to be done in pursuance of this Act, or against any Member or Minister of a Court-martial, in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever. Forms of Actions at Law.

LXXV. And be it enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom by One or more Justice or Justices of the Peace, under the Provisions of an Act, passed in the Third Year of the Reign of His present Majesty, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*, and of another Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland*, for the Recovery of all such Penalties and Forfeitures, as fully, to all Intents, as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed, exceeding Twenty Pounds, Recovery of Penalties.

Pounds, shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of His Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of His Majesty's Dominions.

Appropriation of Penalties.

LXXVI. And be it enacted, That one Moiety of every Penalty, not including any Treble Value of any Articles, adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the other Moiety, or, where the Offence shall be proved by the Person who shall inform, the Whole of the Penalty, shall be paid to the General Agent for the Recruiting Service, to be at the Disposal of the Secretary at War; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary at War.

Administration of Oaths.

LXXVII. And be it enacted, That all Oaths which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and that any Person taking a false Oath in any Case wherein an Oath is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Perjury.

Duration of the Act.

LXXVIII. And be it enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *March* One thousand eight hundred and thirty inclusive, until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *April* One thousand eight hundred and thirty inclusive, until the First Day of *April* One thousand eight hundred and thirty-one; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *July* One thousand eight hundred and thirty inclusive, until the First Day of *July* One thousand eight hundred and thirty-one; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *August* One thousand eight hundred and thirty inclusive, to the First Day of *August* One thousand eight hundred and thirty-one; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* and *Bourbon*, and Islands thereto belonging, *St. Helena*, and the Western Coast of *Africa*, from the First Day of *November* One thousand eight hundred and thirty inclusive, to the First Day of *November* One thousand eight hundred and thirty-one; and shall be and continue in force in all other Places from the First Day of *December* One thousand eight hundred and thirty inclusive, to the First Day of *December* One thousand eight hundred and thirty-two:

Provided that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of His Majesty's Dominions beyond the Seas, become and be in full Force; any thing herein-before contained to the contrary notwithstanding.

LXXIX. And be it enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this Session of Parliament. Alteration of the Act.

SCHEDULES to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

Enlisting for unlimited Service.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of until you shall be legally discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or Navy?

Note.—The Justice is directed, in putting the 11th Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for limited Service.

The preceding Question to be put by the Justice, except Question 8, which is to be as follows:

8. Are you willing to be attested to serve in the Regiment of for the Period of [*this Blank to be filled up by the Justice with Seven Years for Infantry, Ten Year for Cavalry, and Twelve Years for the Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the Case may be,*] Years, provided His Majesty should for so long require your Service, and also for such further Term, not exceeding Six Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of His Majesty, such additional Period, in the latter Case, to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, or Twelve, *as the Case may be,*] Years?

Enlisting for either His Majesty's or the East India *Company's Service.*

Question 8 is to be put by the Justice as follows:

8. Are you willing to be attested to serve in His Majesty's Army, or in the Forces of the United Company of Merchants trading to the *East Indies*, according as His Majesty shall think fit to order, until you shall be duly and legally discharged?

Enlisting for the East India *Company's Service.*

Question 8 to be put by the Justice as follows:

8. Are you willing to be attested to serve the United Company of Merchants trading to the *East Indies*, until you shall be legally discharged? [*Or if the Recruit enlists for limited Service then insert*, for the Period of Twelve Years, [*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the Case may be, and such Period to be inserted instead of Twelve Years,*] provided the said United Company should so long require your Service?

OATH to be taken by a RECRUIT enlisting for unlimited or limited Service.

I do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand

_____ Signature of Recruit.

_____ Witness present.

Sworn before me at this Day of One thousand eight hundred and .

Signature of the Justice _____

If enlisting for either His Majesty's or the East India *Company's Service, the following Addition is to be made to the foregoing Oath.*

And that if His Majesty, His Heirs or Successors, shall please to appoint me to serve in the Forces of the United Company of Merchants of *England* trading to the *East Indies*, then I swear, that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

If enlisting for the East India *Company's Service, the following is to be added to the Oath.*

And that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,

Any distinctive Mark.

to wit. } I One of His Majesty's Justices of the Peace of do hereby certify, That the above is the Description of the Recruit ; and in my Presence all the foregoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me; and that the First and Second Articles of the Second Section of the Articles of War were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of abscond and quit my Service without

without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and }

FORM of JUSTICE'S CERTIFICATE, to be given to the MASTER of an Apprentice.

to wit. } I One of His Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of OATH of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do hereby make Oath, That I have not applied any Money or Stores, or Supplies, under my Care or Distribution, to my own Use, or to the private Use of any other Person, by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than public Purposes, according to the Duty of my Office.

Sworn before me by the within-named this Day of . }

Justice of the Peace for the County of , or *Commander in Chief*, or *Second in Command*, et cetera, *the Army serving in* et cetera, [*as the Case may be.*]

DESCRIPTION RETURN of committed to Confinement at on the Day of

as a Deserter from the Battalion of the Regiment of .

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

_____ *Signature and Address of Magistrate.*

_____ *Signature of Prisoner.*

_____ *Signature of Informer.*

*Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

_____ *Signature of Surgeon.*

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.

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Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

****

CAP. VIII.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

[23d *March* 1830.]

WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on Shore, or sent to do Duty on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of His Majesty not being in Commission, or other Ships or Vessels, in which they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the King's most Excellent

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of *March* One thousand eight hundred and thirty, if any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer or Private Man in any Division of Royal Marines in His Majesty's Service, shall at any Time during the Continuance of this Act, while on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty not being in Commission, or on board any Convict Hulk or Ship, or any other Ship or Vessel, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition; or coming to the Knowledge of any Mutiny or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any others to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of His Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

Crimes punishable by Death.

II. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law for Crimes thereby cognizable; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine charged with any Capital Crime, or with any Violence or Offence against the Person or Property of any of His Majesty's Subjects punishable by the known Laws of the Land, or who shall wilfully neglect or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of His

The ordinary Course of Law not to be interfered with.

Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in His Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty: Provided always, that no Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering.

Marines not to be taken away from the Service for Debts under 30*l.*

III. And be it further enacted, That no Person (except an Apprentice) enlisted in His Majesty's Service as a Marine shall be liable to be arrested or taken therefrom by the Warrant of any Magistrate, or otherwise, on account of any Breach of Contract or Engagement to serve or work for any Employer; and that no Marine shall be liable to be arrested and taken out of His Majesty's Service for Debt by any Process or Execution whatsoever, unless an Affidavit shall be first duly made and filed by the Plaintiff in the Suit, or by some one on his Behalf, for which no Fee shall be taken, that the original Debt for which the Action has been brought amounts to the Sum of Thirty Pounds at least, over and above all Costs in that or any other Action, a Memorandum of which Oath shall be marked on the Back of such Process, and of the Warrant grounded thereon; and in case any Person shall nevertheless contrary hereto be arrested, it shall be lawful for any Judge of the Court out of which the Process shall have issued, and he is hereby required, upon Complaint made by the Person arrested, or by his Superior Officer, and upon due Proof thereof being made to him that such Arrest was made contrary to the Intent and Meaning of this Act, to discharge the Person so arrested out of Custody, and also to award to the Party complaining such Costs as such Judge shall think reasonable; for the Recovery whereof he shall have the like Remedy by Writ of Execution as that which the Plaintiff in the Suit might have had in case Judgment had been given for him in the Action.

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

IV. And be it further enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make Rules and Articles of War in Writing, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of His Majesty's Royal Marine Forces while on Shore, either in this Kingdom or in any other of His Majesty's Dominions, or in Foreign Parts out of such Dominions, or on board any Ship or Vessel of His Majesty not being in Commission, or on board any Transport, or Merchant Ship or Vessel, or any Convict Ship or Hulk, for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Neglect of Duty, and other Offences, and for bringing Offenders against the same to Justice; which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of

of His Majesty's Dominions Abroad: Provided always, that no Person shall be subject by such Rules and Articles to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner nor under any Regulations which shall not accord with the Provisions of this Act.

Lord High Admiral, &c. may grant Commissions for holding General Courts-martial, &c.

V. And be it further enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and for bringing Offenders against the Articles of War to Justice, to erect and constitute Courts-martial, as well within the said United Kingdom and the *British* Isles as in any of His Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of His Majesty's Royal Marine Forces, as well within the said United Kingdom as elsewhere beyond the Seas, for convening, as well as for authorizing any Officer not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces under their Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Sea or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Composition of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, *Africa*, and *New South Wales* excepted,) or in the Settlements of the *East India* Company, or elsewhere, shall, in order to have Power to try a Commissioned Officer, or to pass Sentence of Death or Transportation on any Offender, consist of not less than Thirteen Commissioned Officers, in which Sentence of Death Nine at least of the Members of any Court consisting of Thirteen shall concur; and for the Trial of any Person not of the Rank of a Commissioned Officer, the Court shall consist of not less than Nine; and such General Courts-martial convened in *Bermuda*, or out of the King's Dominions, (excepting *Africa* and *New South Wales*,) shall have not less than Seven, and in *Africa* and *New South Wales* not less than Five Commissioned Officers; and in all Cases where such General Courts-martial as aforesaid shall consist of more or fewer Officers than Thirteen, no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Members present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where

where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of Captain.

Courts-martial to administer Oaths.

VII. And be it further enacted, That all and every Court-martial shall have Power and Authority and is hereby required to administer the requisite Oath, in the usual Form, to every Person who shall be examined as a Witness before any such Court-martial, previous to his giving Evidence thereat.

Proceedings of Courts-martial.

VIII. And be it further enacted, That in all Trials by General Courts-martial to be held by virtue of this Act, every Member of such Court shall, before any Proceedings be had thereupon, take the Oaths for that Purpose set forth in the Schedule to this Act annexed, before the Judge Advocate or Person officiating as such, and on Trials by other Courts-martial before the President thereof, who are hereby respectively authorized to administer the same; and so soon as such Oaths shall have been administered to the respective Members, the President of the Court (having himself taken the said Oath,) to be administered to him by any sworn Member, is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act for that Purpose annexed; and that no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight o'Clock in the Morning and Four in the Afternoon, except in Cases which may require an immediate Example, and except in the *East Indies*, where such Trial may be held between the Hours of Six in the Morning and Four in the Afternoon.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

IX. And whereas it may be expedient in certain Cases, particularly when a sufficient Number of Royal Marine Officers cannot be conveniently assembled, or in Matters wherein any of His Majesty's Land Forces may be interested, that Officers of the Land Forces should be associated with Royal Marine Officers for the Purpose of holding Courts-martial; be it therefore enacted and declared, That, when and as often as it shall be deemed necessary, it shall and may be lawful for Officers of Royal Marines and of the Land Forces to sit in conjunction on any Court-martial to be held under the Authority of this Act, and to proceed on the Trial of any Marine Officer, Non-commissioned Officer, Drummer, or Private Man, in like Manner to all Intents and Purposes as if such Court-martial were composed of Marine Officers only, and whether the Commanding Officer by whose Order such Court-martial is assembled belong to the Land or the Marine Forces; and the Officers composing such Court are in such Cases to take Rank according to the Seniority of their Commissions in either Service.

General Courts-martial may sentence Offenders to Imprisonment, &c.

X. And be it further enacted, That a General Court-martial may sentence any Marine to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court may appoint, or to Corporal Punishment not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all

Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain Term of Years, or to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall be pleased to direct, or if such Offender shall have enlisted for any limited Term, may sentence him to serve for Life as a Soldier in any Corps which His Majesty shall be pleased to direct; and such Court may, in addition to any other Punishment, sentence any such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as to His Majesty shall seem meet; and if any Person who shall have been so adjudged or ordered to be transported, whether by the Sentence of a Court-martial or in pursuance of such Order of His Majesty, shall afterwards, without Licence from His Majesty or other lawful Authority, return to or be found at large in any Part of His Majesty's Dominions, either Abroad or at Home, other than the Place to which he shall have been adjudged or ordered to be transported, before the Expiration of the Term limited by such Sentence or Order, any such Offender, being duly convicted thereof, shall suffer Death as a Felon.

Powers of District or Garrison Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, *Africa*, and *New South Wales*, where it may consist of Five Commissioned Officers, and may sentence any Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes; in malingering, feigning Disease, absenting himself from Hospital while under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully protracting his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military or Divisional or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying Public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or

fraudulent Nature; and if any Marine shall be convicted of any such disgraceful Conduct, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and every Marine convicted of Desertion by a District or Garrison Court-martial shall thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Punishment which such Court may award; and any such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Allowance in lieu of Beer, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, as may accord with the Rules and Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the aforegoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony; and the President of every Court-martial other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial: Provided always, that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

Divisonal Courts-martial.

XII. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Divisional Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops; provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award; and a Divisional Court-martial may sentence any Marine to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement not exceeding Twenty Days.

Detachment Courts-martial.

XIII. And be it enacted, That it shall be lawful for any Officer commanding any distinct Detachment or Portion of His Majesty's Royal Marine Forces which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the Army of which the Division, Brigade, Detachment, or Party to which

which any Person so tried shall belong shall have approved and confirmed the same.

Marking a Deserter.

XIV. And be it further enacted, That it shall be lawful for any General Court-martial assembled to try the Crime of Desertion, in addition to any other Punishment such Court may award, to direct that the Offender be marked on the Left Side, Two Inches below the Arm Pit, with the Letter D, such Letter not to be less than Half an Inch long, and to be marked on the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Trial and Punishment for Embezzlement.

XV. And be it further enacted, That every Officer and other Person employed in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to His Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall wilfully suffer any Money, Provisions, Forage, Arms, Clothes, Ammunition, or other Military or Royal Marine Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by a General Court-martial, which is hereby empowered to adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, with Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and that such Person shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage thereby sustained, to be ascertained by such Court-martial, which shall have Power to sentence the Offender to be imprisoned until the same, and any Fine which may be imposed, be paid and satisfied to His Majesty.

Witnesses.

XVI. And be it further enacted, That all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, to give Evidence on any Court-martial, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if nevertheless arrested contrary to the Intent of this Act, be forthwith discharged out of Custody by the Order of the Court out of which the Writ or Process for such Arrest was issued; and if such Court shall not be then sitting then by the Order of any Judge of the Court of King's Bench at *Westminster* or *Dublin*, or of the Courts of Session in *Scotland*, or Courts of Law elsewhere, as the Case may require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending such Court-martial; and every Person so duly summoned as a Witness who shall not attend, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence at any such Court-martial, or to answer all such Questions as the Court may legally demand of him, shall be liable to be attached, proceeded against, and punished in the Court of King's Bench at *Westminster*,

or *Dublin*, or Court of Session or other Court of Law in *Scotland* or elsewhere, in the same Manner as Persons disobeying the Subpœna to testify or any similar Process of such Courts are liable to be proceeded against and punished.

Transportation of Offenders.

XVII. And be it further enacted, That whenever His Majesty shall intend any Sentence of Transportation to be carried into execution, or shall be graciously pleased to extend His Royal Mercy upon Condition of Transportation, to any Offender subject to the Punishment of Death by the Sentence of a General Court-martial, such Sentence, (together with His Majesty's Pleasure upon the same, in Cases of Commutation of Sentence,) shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon the same as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of any other Act of Parliament; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation; and from the Time when such Order of Transportation shall be made, every Law and Statute now in force touching the Escape of Felons shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape of any such Offender; and the Justice or Baron who shall make any Order of Transportation as aforesaid shall direct the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or in His Majesty's Behalf, shewing the Christian and Surname of such Offender, the Place where the Court was held before whom he was convicted, and the

Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Imprisonment of Offenders.

XVIII. And be it enacted, That in all Cases of any Person belonging to the Royal Marine Forces being sentenced by any General or other Court-martial to Imprisonment in any House of Correction, Common Gaol, or Public Prison, the Gaolers and Keepers of such Houses of Correction, Gaols, or Prisons respectively, shall receive into their Custody every such Person, upon receiving an Order in Writing for that Purpose from the Commanding Officer of the Division at which such Court-martial shall have been held, together with a Copy of the Sentence attested by the said Commanding Officer, and shall detain him in Confinement in the Manner and for the Period mentioned in such Sentence, or until he be duly discharged, or shall deliver him up to such Person producing an Order in Writing to that Effect from any such Commanding Officer, although the Period for which he was committed shall not have expired; and every such Gaoler or Keeper refusing or neglecting to receive and confine any such Person, pursuant to such Sentence, or to discharge him, upon any such Order, shall, on being convicted thereof, forfeit for every such Offence the Sum of One hundred Pounds.

Place of Confinement of Offenders may be changed.

XIX. Provided also, and be it further enacted, That whenever it shall be deemed expedient it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, by any Order in Writing to be made for that Purpose, under the Hand of the said Lord High Admiral, or the Hands of Two or more of the Commissioners aforesaid, and the Seal of the Office of Admiralty, to change the Place of Confinement expressed in any Sentence of a Court-martial to be held under the Authority of this Act, either previous to the Commitment of the Offender or under any such Sentence, or at any Time during the Period of his Confinement, and so from Time to Time as often as it shall be deemed requisite; and the Gaoler or other Person having the Custody of such Offender shall, immediately on the Receipt of any such Order, remove and convey such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order so to be made as aforesaid, (for the Charges of which Removal and Conveyance he shall be allowed a Sum not exceeding One Shilling *per* Mile); and every Gaoler or Keeper of such last-mentioned Gaol or House of Correction shall thereupon, and upon being furnished with a Copy of the Sentence of Confinement, and of such Order of Removal, (such Copies respectively to be attested by the Secretary of the Admiralty for the Time being,) receive into his Custody, and shall confine pursuant to such Sentence, every such Offender, under the like Penalty and Forfeiture, in case of Refusal or Neglect, as is lastly herein-before provided.

Offences against former Mutiny

XX. And be it further enacted, That all Crimes and Offences committed against any former Act made for the Regulation of the

Royal Marine Forces while on Shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may during the Continuance of this Act be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force, notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape, and come or be brought into this Realm, before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Acts may be tried under this Act.

Limitation as to Time.

XXI. And be it further enacted and provided, That no Person who shall have been acquitted or convicted of any Offence at any Court-martial shall be liable to be tried a Second Time for the same Offence, except in the Case of an Appeal from a Divisional to a General Court-martial; and that no Sentence of any Court-martial, signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

Appeal.

Revision of Sentence.

XXII. And be it further enacted, That every Non-commissioned Officer, Drummer, or Private Marine who shall by the Sentence of any Court of Law or Court-martial, or by the Warrant of a Justice of the Peace, be imprisoned, or who shall be confined for Debt, shall forfeit all Right to any Pay from the Day of his Arrest during the Time of such Imprisonment; and the Gaoler or other Person in whose Custody he shall be shall receive the Sum of Sixpence *per Diem* out of the Pay of such Non-commissioned Officer or Private Marine, to be applied for his Subsistence during the Time he shall continue in Custody; which said Sum shall, under the Authority of the Lord High Admiral, or the Commissioners for executing the Office of Lord Admiral, for the Time being, be paid by the Pay-master of Royal Marines to the said Gaoler, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol shall be situate, accompanied by a Copy of the Order under which the Prisoner is confined: Provided always, that it shall be lawful for the said Lord High Admiral, or the said Commissioners, for the Time being, if they shall think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, to or on account of

Forfeiture of Pay.

Subsistence of Offenders while in Custody.

Arrears of Pay.

of such Marine, during or after the Expiration of the Period of his Imprisonment: Provided also, that in case such Imprisonment shall be in any Place of Military Confinement, then the like Allowance of Sixpence *per* Day for Subsistence shall be made by the Paymaster of Royal Marines, to the Marine so imprisoned, in lieu of all Pay or other Allowances: And it is hereby declared, that in the Calculation of the Period to entitle a Marine to Pension, or increased Rate of Pay for Services, no Part of the Time during which he may have been imprisoned shall be included.

Pay of Commissioned Officers charged with Criminal Offences.

XXIII. Provided also, and be it further enacted, That no Commissioned Officer who shall be arrested and committed to Prison upon a Charge of any Criminal Offence, shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Company to which he shall belong, or which he shall be ordered to join; and if he shall be acquitted of the Offence for which he was committed, he shall, upon his Return to his Company, with the Approbation of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, but not otherwise, be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment until the Day of his Return to the Company to which he shall belong, or which he shall be ordered to join.

Report of Proceedings of Courts-martial.

XXIV. And be it further enacted, That every Judge Advocate or Person officiating as such at any General Court-martial, or the President of any other Court-martial, shall transmit, with all reasonable Expedition, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and that the Party tried by such Court-martial shall, upon Application to the Secretary of the Admiralty, be entitled, at any Time after the Expiration of Three Calendar Months from the Date of such Sentence, but not sooner than Three Months, whether such Sentence be approved or not, to a Copy of the Proceedings and Sentence, upon paying reasonably for the same, according to the Length thereof; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Subsequent Enlistment no Protection from Punishment for Desertion.

XXV. And be it enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of Right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence, as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, upon the Trial of any Marine

Marine for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Prisoner guilty, and then only for the Purpose of fixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial.

Apprehension of Deserters.

XXVI. And be it further enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer, Marine, or other Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if, by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Marine unlawfully absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison in the same or any next adjoining County, and shall transmit an Account thereof, in the Form prescribed for that Purpose in the Schedule annexed to this Act, to the Secretary of the Admiralty, with a Description of the Person of such Deserter, and the Name of the Division to which he shall belong, and also certifying the Names of the Persons by whom the Deserter was apprehended; and if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall be satisfied such last-mentioned Persons are justly entitled to a Reward for such Apprehension, the said Secretary shall in return transmit to such Justice an Order upon the Paymaster of Royal Marines the Sum of Twenty Shillings as a Reward to the Persons so certified to be entitled thereto; which Reward shall be paid by the Paymaster, and charged against the Pay and Subsistence of any such Deserter, and stopped out of the same: Provided always, that no Fee or Reward shall be taken by any Justice or his Clerk in respect of any Information, Commitment, or Report in the Case of any such Deserter.

Fraudulent Confession of Desertion.

XXVII. And be it further enacted, That every Person who shall voluntarily surrender or deliver himself up as a Deserter from His Majesty's Royal Marine Forces, or who, upon being apprehended on any Charge, shall, in the Presence of the Justice, confess himself to be a Deserter from such Forces, shall be deemed to have been duly enlisted, and to be a Marine, and shall be liable to serve in the said Forces, whether he shall have been ever actually enlisted as a Marine or not; and if the Person so confessing himself to be a Deserter shall at the Time actually belong to the Royal Marine Forces, he shall be deemed to be and shall be dealt with as a Deserter; and if the Person so confessing himself to be a Deserter shall be unfit for Service, he shall be liable to be punished as a Rogue and Vagabond, or may be prosecuted and punished for obtaining Money by false

Pretences, and the Confession and receiving Subsistence as a Marine by such Person shall be Evidence of the false Pretence and obtaining Money.

Reward for apprehending Marines attempting to desert.

XXVIII. And whereas it has been judged expedient for the Prevention of Desertion, to establish Outlying Parties in the Vicinity of the respective Divisions of Royal Marines, for the Purpose of intercepting such Men as may straggle or attempt to desert from Head Quarters, and it is fit that Encouragement should be given to Persons composing such Parties to be diligent and active in their Duty in this Behalf; be it therefore enacted, That for and in respect of every Non-commissioned Officer or Private Marine so straggling or attempting to desert, who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine; which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Non-commissioned Officer and Private Marine, in like Manner as the Reward or Sum of Twenty Shillings is herein-before directed to be charged against, stopped, and retained out of the Pay and Subsistence of every Deserter.

Penalty for inducing or assisting to desert.

XXIX. And be it further enacted, That every Person who shall in any Part of His Majesty's Dominions directly or indirectly persuade any Marine to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter from His Majesty's Royal Marine Service in deserting or in concealing himself from such Service, knowing him to be such Deserter, shall forfeit for every such Offence the Sum of Twenty Pounds.

Custody and Subsistence of Deserters.

XXX. And be it further enacted, That the Gaoler or other Person having the immediate Inspection of any Prison, Gaol, or House of Correction, shall diet and supply every Marine in his Custody with Fuel and other Necessaries according to the Regulations of the Prison to which he shall be so committed, and shall receive on account of every such Marine, during his Imprisonment, Sixpence *per Diem*, which the Paymaster of Royal Marines shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing, signed by any Justice within whose Jurisdiction such Prison shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison is defrayed; and all Gaolers and Keepers of Prisons shall and they are hereby authorized and required to receive and confine every Deserter from the Royal Marines who shall be delivered into their Charge by any Officer, Soldier, or Marine conveying any such Deserter under lawful Authority, on the Production of the Warrant or Authority on which such Deserter shall have been taken or detained; and every Gaoler or Keeper so receiving a Deserter shall be entitled to One Shilling for

the safe Custody of him, while halted on the March, and to such daily Subsistence as is herein-before provided for the Maintenance of Marines confined under any Sentence or otherwise.

Notice of Expiration of Imprisonment.

XXXI. And be it further enacted, That every Gaoler, having Notice that any Person in his Custody is a Marine liable to serve His Majesty, shall, previous to the Expiration of the Period of the Imprisonment of such Marine, give One Month's Notice, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary of the Admiralty.

Penalty for forcible Entry.

XXXII. And be it enacted, That every Marine Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Enlisting and swearing of Recruits.

XXXIII. And be it enacted, That every Person who shall receive Enlisting Money to serve in the Royal Marines, from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist, whether he does or does not belong to the Militia, and shall cause to be taken down in Writing the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Marine, he shall, within Four Days but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Marines; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record, or cause to be recorded, in Writing, his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Article of the Second Section of the Articles of War against Mutiny and Desertion, to be read over, in his own Presence, to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed, before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXIV. And

Dissent and Relief from Enlistment.

XXXIV. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent to return such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice; and it shall also be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, provided it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto and demanding the same: Provided always, that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate, under his Hand, specifying the Cause thereof.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

XXXV. And be it enacted, That any Person duly bound as an Apprentice, who shall enlist into His Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be attested, that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences, and shall, after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Royal Marine Forces.

Punishment of Apprentices enlisting.

XXXVI. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of His Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to and a Copy left with the Officer under whose Command the Apprentice shall then be, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer, shall

commit the Offender to the Common Gaol of the said Place where the Apprentice shall be apprehended, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or next succeeding General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; and any Justice not required as aforesaid to commit such Apprentice, may deliver him to his Master: Provided always, that every Apprentice who shall enlist into the Royal Marines during the Period of his Apprenticeship shall be deemed guilty of a Misdemeanor, and upon Conviction be liable to the same Punishment as Offenders convicted of obtaining Money under false Pretences are liable to; and every such Apprentice shall, after the Expiration of his Apprenticeship, whether he shall have been prosecuted or not, be liable to serve in His Majesty's Royal Marine Forces; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, he may be apprehended as a Deserter from His Majesty's Marine Forces.

Offences connected with Enlistment.

XXXVII. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Private in His Majesty's Royal Marine Forces, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce, to the Justice before whom the Recruit ought regularly to have been brought for Attestation, a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the Event of such Recruit being afterwards

apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Royal Marine Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into a Garrison or Veteran or Invalid Battalion, and shall be entitled to receive such Proportion or Residue of Bounty only as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any Act or any Rules and Regulations to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have wilfully concealed his having been a Marine or Soldier and discharged, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity upon being attested, or designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law now in force may be inflicted on Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice at the Time of his Attestation, and shall thereby obtain any Enlisting Money, or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith;* and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his having been attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man who, having been enrolled to serve in the Militia, and who at the Time of offering to enlist into the Marines shall deny that he is a Militia Man, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Declaration of such Person,

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

certified by the Secretary of the Admiralty, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Division of His Majesty's Royal Marine Forces into which he shall have so enlisted; provided also, that every such Person shall be liable to serve in His Majesty's Royal Marine Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines, if he shall neglect or refuse to join and serve therein.

Yearly Servants enlisting to be entitled to a Proportion of their Wages.

XXXVIII. And be it further enacted, That it shall be lawful for the Justice before whom any Recruit (being a hired Servant) shall be attested, before the Expiration of the Term of Service for which he shall have been hired, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he shall have actually served, to be forthwith paid by the Master, upon whom the said Justice shall make an Order accordingly, and if the same be not paid within Four Days, shall enforce the Payment thereof by the same Means as pecuniary Penalties may under this Act be recovered before a Justice.

Penalty on Officers offending as to Enlistment.

XXXIX. And be it enacted, That every Marine Officer who shall designedly act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service.

Claims of Masters to Apprentices.

XL. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Marine in His Majesty's Service, unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take and subscribe the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen when so bound,) and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract of Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture so duly executed shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced

produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master, who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice, shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Musters, and Penalty on false Musters.

XLI. And be it further enacted, That Musters, as has been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from such Muster, unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to His Majesty's Service who shall give or procure to be given any untrue Certificate, thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court Martial, for any such Offence be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of His Majesty; and any Person, who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belong to His Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to His Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise, in order to excuse any Officer or Marine from Appearance at any Muster, or whereby His Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

Verifying of Muster Rolls.

XLII. And be it enacted, That all Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

XLIII. And

XLIII. And be it further enacted, That when there shall not be any Officer of His Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice, who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment, according to the Provision of this Act, for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough. Furlough Pay.

XLIV. And be it further enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Pay) to enable him to reach his Home, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his Discharge, or be discharged on account of Misbehaviour, or at his own Desire, shall be entitled to any such Allowance. Marching Money on Discharge.

XLV. And whereas there is and may be Occasion for the marching and quartering of the Royal Marine Forces in several Parts of this Kingdom; be it further enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, it shall be lawful for all Constables and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, (not exceeding for each Officer the Number for which Forage is allowed by His Majesty's Regulations,) in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Times when Marines are on a March shall any of them be billetted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billetted in pursuance of this Act, the Officers and their Horses shall be billetted in one and the same Billetting of Marines.

House, except in Case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situate: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present, and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billetted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billetted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices within whose Jurisdiction such Marines are billetted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billetted upon other Persons, as they shall see Cause; and when any Horses belonging to the Officers of His Majesty's Royal Marine Forces shall be billetted upon the Occupiers of Houses who shall have no Stables, then, upon Complaint made by any such Occupier to Two or more Justices within whose Jurisdiction such Horses shall be so billetted, it shall be lawful for such Justices to order the Horses to be billetted upon some other Person having Stables by this Act liable to have Officers and Marines billetted upon them, and may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billetted in any Place with another Man or Horse billetted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billetted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to His Majesty's Service: Provided always, that, to prevent or punish all Abuses in billetting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billetted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful to billet Officers and Marines in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billetted,

except in the Suburbs of *Edinburgh*: Provided always, that no Justice, being an Officer of Royal Marines, shall directly or indirectly be concerned in billetting or appointing Quarters under this Act.

Allowance to Innkeepers.

XLVI. And be it enacted, That the Innholder or other Person on whom any Marine is billetted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder, or other Person furnishing the same, shall be paid the Sum of Ten-pence; and all Innholders, and other Persons on whom Marines may be billetted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of a Half-penny *per Diem* for each Marine; and the Sum to be paid the Innholder or other Person on whom any of the Horses belonging to His Majesty's Royal Marine Forces shall be billetted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billetted, by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*, and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billetted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who shall actually receive the Pay and Subsistence of the said Men, shall every Four Days, or before they shall quit their Quarters, if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billetted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same, then upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters are situate, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to the Complainant, to order the Pay-master of Royal Marines to pay the Amount due, and charge the same against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of the Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billetted, and sign a Certificate thereof; which Account and Certificate,

Certificate, on being transmitted to the Paymaster of Royal Marines, shall be by him immediately paid, and charged to the Officer's Account.

Supply of Carriages.

XLVII. And be it further enacted, That for the regular Provision of Carriages for the Royal Marine Forces and their Baggage, on their Marches in *England* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, shall, on the Production of such Order to them, or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which Number only so specified Payment shall be demanded, and which Number of Miles shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Person,) and may by Warrant under his Hand authorize the Constables within this Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

XLVIII. And be it further enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Sixpence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and such

further Rates may be added, not exceeding, in *England*, a total additional Sum *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England*, for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions, (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof); and in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert, in his own Hand, in the Warrant, the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher: Provided always, that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable: Provided also, that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Nine-pence a Mile, shall be required to carry Fifteen Hundred Weight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen, or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that Account be stopped or detained.

Exemption from Tolls.

XLIX. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, and all Carriages and Horses when employed in conveying Persons or Baggage

under the Provisions of this Act, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto; and that when any Officers or Marines on Service shall have Occasion in the March to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

L. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billetting any Officers or Marines in any Part of the United Kingdom, shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels, shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Person, liable by this Act to have any Officer or Marine quartered on him, shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse, at the Rate established by any Act in force in that respect; or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty upon Officers of Marines so offending.

LI. And be it further enacted, That if any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer, tending to deter and discourage

discourage any of them from performing any Part of their Duty under this Act, or to do any thing contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House, against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds or less than Forty Shillings.

Penalty for purchasing Clothes, &c. from any Marine.

LII. And be it further enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, or exchange, or otherwise receive any Arms, Ammunition, Clothes, Cap, or other Military Furniture or Appointments, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or any other Articles belonging to any Marine or Marine Deserter, which are generally deemed Regimental Necessaries, according to the Custom of the Royal Marine Corps, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence the Sum of Ten Pounds, together with Treble the Value of all or any the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of Stolen Goods.

LIII. And

Penalty on Officers killing Game.

LIII. And for the better Preservation of the Game and Fish in or near such Place where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not liable to take Parish Apprentices.

LIV. And be it enacted, That no Officer of His Majesty's Royal Marine Forces, residing in Barracks or elsewhere under Military Law, shall be deemed liable to have any Parish Poor Child bound Apprentice to him.

Mode of recording a Marine's Settlement.

LV. And be it further enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Marine having a Wife, Child or Children, shall be quartered, may summon such Marine before him, (which Summons such Marine is hereby required to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to take any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Administration of Oaths.

Perjury.

LVI. And be it further enacted, That all Oaths which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath in any Case wherein an Oath is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Licences of Canteens.

LVII. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, or from the Paymaster and Inspector General of His Majesty's Royal Marine Forces, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences,

Licences, and the Commissioners of Excise within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Limitation of Actions.

LVIII. And be it enacted, That if any Action shall be brought against any Member or Minister of a Court-martial to be assembled under the Authority of this Act, in respect of the Proceedings or the Sentence thereof, or against any other Person for any thing done in pursuance or under the Authority of this Act, the same shall be brought in some one of the Courts of Record at *Westminster*, or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and that it shall be lawful for the Defendant or Defendants therein to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become Nonsuit, or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

LIX. And be it further enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value and Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value and Treble Value shall and may be recovered, in any Part of the United Kingdom, before One or more Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others;* and by another Act, passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed, exceeding Twenty Pounds, shall be recovered by Action in some of the Courts of Record

3 G. 4. c. 23.

5 G. 4. c. 18.

at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of His Majesty's Dominions, in any of the Royal or superior Courts of such Isles or other Parts of His Majesty's Dominions.

Appropriation of Penalties.

LX. And be it further enacted, That one Moiety of every such Penalty or Forfeiture (not including any Treble Value of any Articles) shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty, shall be paid over to the Paymaster of the Royal Marine Forces, to be applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same and his Adjudication thereof to the Secretary of the Admiralty.

Definition of Terms.

LXI. And be it further enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables, and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, who shall act in the Execution of this Act; and all Provisions for billetting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billetted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billetted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London*, admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul, duly accredited as such.

Notification to Parishes of good or bad Conduct of Marines.

LXII. And be it further enacted, That the Churchwardens of every Parish in *England*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received His Majesty's special Approbation, or who in consequence of Misconduct has been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Marines to be subject to the Discipline of the Navy while on board Ship.

LXIII. And it is hereby declared and enacted, That all His Majesty's Royal Marine Forces, as well Officers as Privates, shall, during the Time they shall be respectively borne on the Books of any of His Majesty's Ships or Vessels, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws of the Government of His Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them while so borne in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished.

Duration of Act.

LXIV. And be it further enacted, That this Act shall continue in force within *Great Britain* from the Twenty-fifth Day of *March* One thousand eight hundred and thirty, until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one inclusive; and within *Ireland* from the First Day of *April* One thousand eight hundred and thirty, until the First Day of *April* One thousand eight hundred and thirty-one inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *May* One thousand eight hundred and thirty, until the Twenty-fifth Day of *May* One thousand eight hundred and thirty-one inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty-fifth Day of *July* One thousand eight hundred and thirty, to the Twenty-fifth Day of *July* One thousand eight hundred and thirty-one inclusive; and in all other Places from the Twenty-fifth Day of *September* One thousand eight hundred and thirty, to the Twenty-fifth Day of *September* One thousand eight hundred and thirty-one inclusive; and that this Act may be altered, varied, or repealed by any other Act or Acts to be passed during this Session of Parliament.

Alteration of Act.

SCHEDULE to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will truly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on Shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.
So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?

8. Are

8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or Navy?

Note.— The Justice is directed, in putting the 11th Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

OATH to be taken by a RECRUIT enlisting.

I do make Oath, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand

(Signature of the Recruit.)

Witness present.

Sworn before me at this
Day of One thousand eight
hundred and .

Signature of the Justice.

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,

Any distinctive Mark.

to wit. I One of His Majesty's Justices of the Peace of do hereby certify, That the above is the Description of the Recruit ; and in my Presence all

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all the aforegoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me; and that the Second and Third Sections of the Rules and Articles for the better Government of His Majesty's Royal Marine Forces while on Shore, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred .

Sworn before me at this Day of One thousand eight hundred . }

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of His Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION RETURN of committed to Confinement at on the Day of
as a Deserter from the Royal Marines.

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

———— *Signature and Address of Magistrate.*

———— *Signature of Prisoner.*

———— *Signature of Informer.*

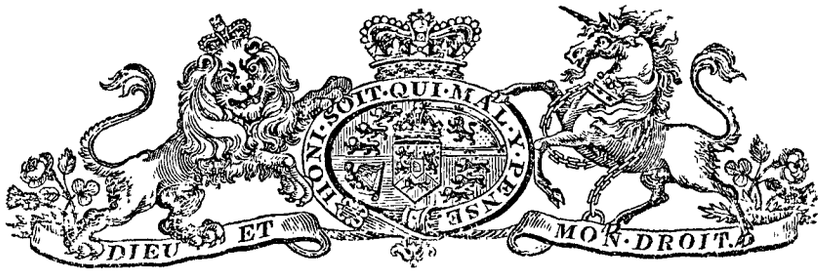
* Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

———— *Signature of Surgeon.*

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.



ANNO UNDECIMO

GEORGII IV. REGIS.

***

1 G. 1. st. 2. c. 13. of glorious Memory, intituled *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors;* or to have qualified themselves according to an Act made in the Thirteenth Year of the Reign 13 C. 2. st. 2. c. 1. of King *Charles* the Second, intituled *An Act for the well-governing and regulating of Corporations;* or to have qualified themselves according to another Act made in the Twenty-fifth Year of the 25 C. 2. st. 2. c. 2. Reign of King *Charles* the Second, intituled *An Act for preventing the Dangers which may happen from Popish Recusants;* or according to another Act made in the Thirtieth Year of the Reign of King 30 C. 2. st. 2. *Charles* the Second, intituled *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament;* or according to another Act made in the Eighth Year of the Reign of His late Majesty 8 G. 1. c. 6. King *George* the First, intituled *An Act for granting the People called* Quakers *such Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under;* or according to another Act made in the Ninth Year of the Reign of His late 9 G. 2. c. 26. Majesty King *George* the Second, intituled *An Act for indemnifying Persons who have omitted to qualify themselves for Offices within the Time limited by Law, and for allowing further Time for that Purpose; and for amending so much of an Act passed in the Second Year of the Reign of His present Majesty, as requires Persons to qualify themselves for Offices before the End of the next Term or Quarter Sessions; and also for enlarging the Time limited by Law for making and subscribing the Declaration against Transubstantiation; and for allowing a further Time for Enrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees;* or according to another Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, intituled 18 G. 2. c. 20. *An Act to amend and render more effectual an Act passed in the Fifth Year of His present Majesty's Reign, intituled 'An Act for the further 'Qualification of Justices of the Peace;'* or according to another Act made in the Sixth Year of the Reign of His late Majesty King *George* 6 G. 3. c. 53. the Third, intituled *An Act for altering the Oath of Abjuration, and the Assurance; and for amending so much of an Act made in the Seventh Year of the Reign of Her late Majesty Queen* Anne, *intituled 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason;* have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe the Oaths and Assurance and make and subscribe the Declaration required by the said recited Acts or either of them, or otherwise to qualify themselves as aforesaid, within such Time and in such Manner as in and by the said Acts respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting the Minds of His Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions, be it enacted by the King's most Excellent Majesty, by and with the Advice and

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts, or any of them, is required; and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing on account of which such Qualification ought to have been had and is required, before the passing of this Act hath or have taken and subscribed the said Oaths, or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said Acts or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said Act made in the First Year of the Reign of His said late Majesty King *George* the First, or by any other Act or Acts in that Behalf made and provided; and hath or have made and subscribed, or shall, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, make and subscribe the said Declaration against Transubstantiation; and also hath or have made and subscribed, or shall, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, make and subscribe the said Declaration in the said Statute made in the Thirtieth Year of King *Charles* the Second, in such Cases wherein the said Declaration ought to have been made and subscribed, or to take and subscribe the Oath directed by the said Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, in such Cases wherein the said Oath ought to have been taken and subscribed, in such Manner as by the said Act is directed, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the said Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves according to the above-mentioned Acts and every of them; and that all Elections of, and Acts done or to be done by any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and that the Qualification of such Person

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

or

or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Persons who have omitted to make the Declaration required by 9 G. 4. c 17. indemnified, and allowed further Time.

II. And whereas divers Persons, who by reason of their being admitted into Offices, Employments, or Places of Trust, or of their Acceptance from His Majesty of Patents, Grants, or Commissions, or by the Receipt of Pay, Salary, Fees, or Wages by reason thereof, ought to have made and subscribed the Declaration required by an Act passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for repealing so much of several Acts as imposes the Necessity of receiving the Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments*, and have, through Ignorance of the Law, Absence, or other unavoidable Accident, neglected or omitted to make and subscribe the Declaration required by the said Act within the Period therein specified, and that by such Default their Offices, Employments, or Places of Trust, Patents, Grants, or Commissions, have become void; be it therefore enacted, That every Person who ought to have made and subscribed the said Declaration, and who shall before the passing of this Act have omitted to make and subscribe the same within the Period in the said Act specified, and who shall within One Month after the passing of this Act make and subscribe the said Declaration, shall be and is hereby indemnified, freed, and discharged from and against all Penalties and Forfeitures, Incapacities and Disabilities, incurred and to be incurred for or by reason of any such Neglect or Omission; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, without any new Patent, Grant, Commission, or Appointment, and shall be deemed and adjudged to have qualified himself according to the Provisions of the said recited Act, as duly and effectually as if such Person had made and subscribed the said Declaration within the Time thereby prescribed; and all Acts done or to be done by such Person, or by Authority derived from him, shall be of the same Force and Validity as the same would have been if such Person had made and subscribed the said Declaration in manner and within the Time prescribed by the said recited Act.

Indemnity to those who have omitted to make and subscribe the Oaths, &c. required by the Irish Act of 2 Anne.

III. And whereas several Persons well affected to His Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Declaration according to the Directions of an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*; be it therefore further enacted, That all Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the

the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and that no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but that all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned; any thing in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form, and in such Place or Places respectively, as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one.

Not to indemnify Persons against whom final Judgment is given.

IV. Provided always, and be it further enacted, That this Act, or any thing herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Not to exempt Justices acting without legal Qualification.

V. Provided always, and be it further enacted, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force.

Admissions to Corporations may be stamped after Time allowed by Law.

VI. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid; be it further enacted, That for the Relief of such Persons whose Appointments and Admissions, or the Entries of whose Admissions as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions as aforesaid, duly stamped; or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid, have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid, to the Commissioners appointed to inspect and manage the Revenues of the Stamp Duties, to be duly stamped; which such Commissioners are hereby authorized, empowered, and required to

duly stamp, on Payment of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries of Admissions as aforesaid, without any Fine or Forfeiture thereon; and in order to denote the said Duties, the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on Stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning Stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, or other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes; and shall and may hold and enjoy and execute such Offices, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations, or Borough Towns as aforesaid; and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Indemnity to Persons who have paid the Duties on Indentures to serve as Clerks to Attornies, &c. but have neglected to cause Affidavits thereof to be made.

VII. And whereas many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors, Scriveners, or Notaries Public in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and have also omitted to cause such Contracts and the Indentures thereof to be inrolled within the Time in which the same ought to have been done; and many Solicitors, Attornies, Notaries Public, and others, may have omitted to take out Annual Certificates, or to enter the same in the proper Office, and many Infants and others may thereby incur certain Disabilities: For preventing thereof, and relieving such Persons, be it enacted, That every Person who shall, either before or within Six Months after the Execution of such Contract or Indenture, have paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be inrolled, and who, on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-one, shall cause such Contract or Indenture to be inrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities in or by any Act or Acts of Parliament mentioned, and incurred or to be

incurred for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-one, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and that the respective Officer or Officers who ought to receive, file, enter, or register such Contract or Indenture, or Affidavit or Affidavits, shall not refuse to receive, file, enter, or register the same, by reason that the Attorney, Solicitor, or Notary Public, to whom such Infant or other Person shall have been articled or have contracted to serve, shall have neglected to take out his Annual Certificate, or to register the same, but such Officer or Officers are hereby directed and empowered to receive, file, enter, or register the same, notwithstanding such Omission; and that every Person who shall have regularly served any Attorney or Attornies, Solicitor or Solicitors, Notary Public or Notaries Public, for the Term of Years required by Law, shall not be prevented or disqualified from being admitted an Attorney, Solicitor, or Notary Public, by reason of any Omission of the Person or Persons to whom he served for the same Term, or for any Part thereof, having so neglected to take out his Annual Certificate, or to register the same; provided that such Person is otherwise entitled to be created and admitted to such Office by the Laws now in force relating thereto.

Neglect of Attornies, &c. in taking out their Annual Certificates not to disqualify the Persons who have served them.

VIII. Provided always, and be it enacted, That this Act or any thing herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of His Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person; but that such Office or Employment, Benefice, Matter, or Thing so avoided, or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been made.

Not to restore Persons to any Office avoided by Judgment.

IX. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall from and after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

General Issue.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. X.

An Act for the Relief of Parishes from the Expences of maintaining the Wives and Families of Men convicted under the Laws for the Prevention of Smuggling, and sentenced to serve His Majesty in His Naval Service. [8th *April* 1830.]

WHEREAS many Seamen are now serving in His Majesty's Naval Service under and by virtue of certain Acts heretofore made and passed for the Prevention of Smuggling: And whereas it is expedient to make Provisions respecting the Payment and Distribution of the Wages of such Seamen, and of such others as may be hereafter entered to serve in the said Naval Service under or by virtue of any Act made or to be made for the Prevention of Smuggling, and also respecting the Relief of Parishes to which the Wives or Families of any such Seamen are or may become chargeable whilst they continue in the Service; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person who shall be hereafter adjudged or entered to serve in His Majesty's Naval Service under or by virtue of any Act made or to be made for the Prevention of Smuggling shall be entitled to receive more than Half the Pay of his Rating in the Ship's Books.

Persons adjudged to serve in the Navy under the Smuggling Laws not to receive more than Half the Rating.

Distribution of the Wages of Seamen serving under the Smuggling Laws.

II. And be it further enacted, That the Wages of every Seaman now serving or who shall hereafter be adjudged or entered to serve in His Majesty's Naval Service under or by virtue of any such Act made or to be made for the Prevention of Smuggling, whose Wife or Family is or shall become chargeable to any Parish or Place, shall from and after the passing of this Act be distributed as follows; (that is to say,) a Proportion, not exceeding One Half, of the Wages at which such Seaman is rated in the Ship's Books shall be made available for the Support of his Wife and Family; and in order to effectuate the said Purpose, it shall be lawful for any One or more of the Churchwardens and Overseers of the Poor of such Parish or Place where the Wife or Family of such Seaman shall be or become chargeable, to make Complaint thereof on Oath to any Two Justices of the Peace acting for the County in which such Parish or Place shall be situate, and upon the Transmission by the said Justices of a Certificate thereof to the Commissioners of His Majesty's Navy, specifying therein the Proportion (not exceeding One Half) of the Wages they shall deem necessary to be paid for the Relief of the Parish, according to the Circumstances, having regard to the Number of the Family; and the said Commissioners shall thereupon take the requisite Measures for causing Payment thereof to such Person as shall for that Purpose be named in the Justices Certificate, in the same Manner and under similar Regulations as Allotments of Seamen's Wages are now or shall be payable, and that the Monies so paid shall be applied towards the Relief and Indemnity of the Parish; and all Payments to be made by the Treasurer of the Navy under the Authority of this Act shall be deemed good and valid Payments, and shall be allowed as such in his Accounts.

Such Seamen to be deemed to be in Full Pay within the Meaning of the Act 22 G. 2. c. 33.

III. Provided always, and be it further enacted, That notwithstanding such Provisions for the Limitation and Distribution of Wages as aforesaid, every Seaman whatsoever, now serving or who shall hereafter be adjudged or entered to serve in the said Naval Service under and by virtue of any Act made or to be made for the Prevention of Smuggling, shall be deemed and taken to be in actual Service and Full Pay within the Meaning of an Act made and passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Second, for amending, explaining, and reducing into One Act the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea, until such Seamen shall be paid off, or receive a Ticket of Discharge from the said Service.

Seamen so serving to be sent Home when entitled to their Discharge.

IV. And whereas it frequently happens that the Ships to which such Seamen as aforesaid belong are absent from the Kingdom at the Time at which by Law such Seamen are permitted to receive their Discharge from His Majesty's Naval Service; be it enacted, That the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall cause Orders and Instructions to be given to all Admirals and other Officers in command of His Majesty's Ships, that about the Time at which any Seaman now serving or who shall hereafter be entered to serve in His Majesty's

Naval Service under or by virtue of any Act made or to be made for the Prevention of Smuggling shall by such Act be permitted to receive his Discharge, the said Seaman shall be sent Home by the earliest convenient Opportunity.

Regulations as to the Discharge of such Seamen.

V. And be it further enacted, That if the Time at which such Seaman is permitted by Law to receive his Discharge as aforesaid shall expire before the Arrival of the Ship in which he is sent Home or to which he belongs in any Port of the United Kingdom, he shall be entitled to receive his Discharge within Ten Days after her Arrival in such Port; and if the said Time shall expire whilst such Ship is within any such Port, he shall be entitled to receive his Discharge forthwith: Provided always, that nothing herein contained shall be construed to exempt any such Person from the Performance of the Duties of such Service until he be actually discharged.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XI.

An Act for extending certain Provisions of an Act of the Eighth Year of Queen *Anne*, for the better Security of Rents, and to prevent Frauds committed by Tenants regarding Executions, to certain Process in use within the County Palatine of *Durham* and *Sadberge*. [8th *April* 1830.]

WHEREAS by an Act passed in the Eighth Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*, it was enacted, that from and after the Day therein named no Goods or Chattels whatsoever, lying or being in or upon any Messuage, Lands, or Tenements which were or should be leased for Life or Lives, Term of Years, at Will, or otherwise, should be liable to be taken by virtue of any Execution on any Pretence whatsoever, unless the Party at whose Suit the said Execution was sued out should, before the Removal of such Goods from off the said Premises by virtue of such Execution or Extent, pay to the Landlord of the said Premises, or his Bailiff, all such Sum or Sums of Money as were or should be due for Rent for the said Premises at the Time of taking such Goods or Chattels by virtue of such Execution, provided the said Arrears of Rent did 8 Ann. c. 17.

did not amount to more than One Year's Rent; and in case the said Arrears should exceed One Year's Rent, then the said Party at whose Suit such Execution was sued out, paying the said Landlord or his Bailiff One Year's Rent, might proceed to execute his Judgment as he might have done before the making of that Act; and the Sheriff or other Officer was thereby empowered and required to levy and pay to the Plaintiff as well the Money so paid for Rent as the Execution Money: And whereas the said Provision in the Case of an Execution does not extend to the Case of certain Process used within the County Palatine of *Durham* and *Sadberge*, issuable from the Courts of the said County Palatine, or some or one of them, called a Writ of Pone per vadios, and a Writ of Extract thereon, by reason of such Process not being an Execution; for Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Goods or Chattels whatsoever, lying or being in or upon any Messuage, Lands, or Tenements within the said County Palatine of *Durham* and *Sadberge*, which are or shall be leased for Life or Lives, Term of Years, at Will, or otherwise, shall be liable to be attached, removed, assigned, delivered over, or sold by virtue of any Writ of Pone per vadios, or of any Writ of Extract thereon, to be issued from the Courts of the said County Palatine, or any of them, on any Pretence whatsoever, unless the Party at whose Suit any such Writ is sued out shall, before the Removal of such Goods from off the said Premises by virtue of any such Writ of Pone or Writ of Extract, or of either of them, or of any Proceeding either by Consent for Sale or otherwise under such Writs or either of them, pay to the Landlord of the said Premises, or his Bailiff, all such Sum or Sums of Money as are or shall be due for the said Premises at the Time of the attaching or of the Removal of such Goods or Chattels by virtue of such Writ of Pone per vadios or Extract; provided the said Arrears of Rent do not amount to more than One Year's Rent; and in case the said Arrears shall exceed One Year's Rent, then the said Party at whose Suit such Writ of Pone per vadios or Extract is sued out, paying to the said Landlord or his Bailiff One Year's Rent, may proceed to execute his said Writs as he might have done before the passing of this Act; and the said Party at whose Suit such Writ of Pone per vadios or Extract is sued out is hereby empowered, by and out of the said Goods or Chattels, to recover or otherwise to repay to himself as well the Money so paid for Rent as the Money due or payable to him under or by virtue of such Writs or either of them.

No Goods shall be removed by virtue of any Writ unless the Party suing shall, before Removal of Goods, pay the Rent due to the Landlord.

II. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend or be construed to extend to let, hinder, or prejudice His Majesty, His Heirs or Successors, in the levying, recovering, or seizing any Debts, Fines, Penalties, or Forfeitures that are or shall be due, payable, or answerable to His Majesty, His Heirs or Successors; but that it shall and may be lawful for His Majesty, His Heirs and

Act not to affect Debts due to the King.

Successors, to levy, recover, and seize such Debts, Fines, Penalties, and Forfeitures in the same Manner as if this Act had never been made; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XII.

An Act to indemnify Witnesses who may give Evidence, before the Lords Spiritual and Temporal, on a Bill to prevent Bribery and Corruption in the Election of Burgesses to serve in Parliament for the Borough of *East Retford*.

[26th *April* 1830.]

WHEREAS the Commons of *Great Britain* and *Ireland*, in Parliament assembled, have passed a Bill, intituled *An Act to prevent Bribery and Corruption in the Election of Burgesses to serve in Parliament for the Borough of* East Retford: And whereas it is alleged that there has been the most notorious, long-continued, and general Corruption in the Election of Burgesses to serve in Parliament for the said Borough of *East Retford*, and that such Bribery and Corruption are likely to continue and be practised in future, unless some Means are taken to prevent the same: And whereas it is necessary to examine, at the Bar of the Lords Spiritual and Temporal, in respect of such alleged Bribery and Corruption, several Persons: And whereas the Evidence of such Persons may lead to Disclosures tending to expose them to Penal Consequences: And whereas it is expedient to indemnify such Persons, as they are herein-after indemnified, upon their truly and faithfully making such Disclosure and Discovery as herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

All Persons, except Candidates, implicated in Bribery at East Retford, who may be examined by the House of Lords, and who shall make a faithful Disclosure, indemnified.

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the more effectually prosecuting the said Inquiry, that all and every Person and Persons, not having been Candidates or a Candidate for the said Borough at the last Election, who may or hath been or may have been implicated or engaged in such alleged Bribery and Corruption at or connected with any Election of Members to serve in Parliament for the said Borough of *East Retford*, and who shall be examined as Witnesses or a Witness, at the Bar of the Lords Spiritual and Temporal, touching such alleged Bribery and Corruption, and who shall, upon such Examination, make a true and faithful Discovery and Disclosure, to the best of his, her, or their Knowledge, touching all Acts, Matters, and Things to which he, she, or they shall be so examined, shall be, and he, she, and they is and are hereby freed, indemnified, and discharged of, from, and against all Penal Actions, Forfeitures, Punishments, Disabilities, and Incapacities, and all Criminal Prosecutions, which he, she, or they may have been or may become liable or subject to, or which he, she, or they may have incurred or may incur at the Suit of His Majesty, His Heirs or Successors, or any other Person or Persons, for or by reason or means of or in relation to any Act, Matter, or Thing done or committed by such Person or Persons in respect of such alleged Bribery and Corruption, respecting or concerning which such Person or Persons shall be so examined as aforesaid, and shall make such true and faithful Discovery and Disclosure as aforesaid.

Not to extend to any Persons giving false Evidence.

II. Provided always, and be it further enacted, That this Act, or any thing herein contained, shall not extend or be deemed or construed to extend to give any Benefit or Advantage to, or to indemnify, free, or discharge any Persons or Person from or against any Forfeitures, Penalties, Punishments, Disabilities, or Incapacities, or any Prosecutions, who being examined as aforesaid shall give any false Evidence, or make any false Discovery, or suppress, or refuse fully and truly to disclose, any Act, Matter, or Thing within his, her, or their Knowledge, touching or concerning which such Person or Persons shall be so examined as aforesaid; any thing herein contained to the contrary thereof in anywise notwithstanding:

Copies of Entries of Examinations may be given in Evidence.

Provided always, that it shall be lawful for all Persons who shall be so examined as aforesaid, upon any Action or Prosecution commenced or instituted or to be commenced or instituted of or in respect of any of the Matters to which they shall be so examined as aforesaid, to give in Evidence, upon the Trial of such Action or Prosecution, Copies of the Entries contained in the Journals of the Lords Spiritual and Temporal upon such their several Examinations; and that such Copies shall be conclusive Evidence, upon the Trial of all such Actions and Prosecutions, of the Fact of the Examination of such Persons, and of the Questions proposed to such Persons, and of the Answers given by them to such Questions.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XIII.

An Act for transferring certain Annuities of Four Pounds *per Centum per Annum* into Annuities of Three Pounds and Ten Shillings or Five Pounds *per Centum per Annum.* [3d *May* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland,* in Parliament assembled, having taken into our serious Consideration the present State of the National Debt, and being desirous of lessening the Charge thereof, have resolved, that all and every Person and Persons, Bodies Politic and Corporate, who now is or are or hereafter may be interested in or entitled unto any Part of the National Debt redeemable by Law, which now carries an Interest after the Rate of Four Pounds *per Centum per Annum,* and is usually known by the Name of New Four *per Cents.* created in the Year One thousand eight hundred and twenty-two, and which are payable at the Bank of *England* and Bank of *Ireland* respectively, and who shall not signify his, her, or their Dissent in the Manner herein-after mentioned, shall, in lieu of every One hundred Pounds of such New Four *per Centum* Annuities, receive and be entitled to the Sum of One hundred Pounds in a new Stock, to be called "The New Three Pounds and Ten Shillings *per Centum* Annuities," and to carry Interest after the Rate of Three Pounds and Ten Shillings *per Centum per Annum,* or to the Sum of Seventy Pounds in a new Stock, to be called "The New Five Pounds *per Centum* Annuities," and to carry Interest after the Rate of Five Pounds *per Centum per Annum,*

Annum, and so in proportion for any greater or less Amount than One hundred Pounds of such Four *per Centum* Annuities; and that the Dividends of the said Three Pounds Ten Shillings *per Centum* Annuities and Five Pounds *per Centum* Annuities shall be payable half-yearly at the Bank of *England* and at the Bank of *Ireland*; and that the said New Three Pounds Ten Shillings *per Centum* Annuities shall not be liable to be paid off until after the Fifth Day of *January* One thousand eight hundred and forty; and that the said New Five Pounds *per Centum* Annuities shall not be liable to be paid off until after the Fifth Day of *January* One thousand eight hundred and seventy-three: We, Your Majesty's most faithful Commons, do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons, Bodies Politic or Corporate, who now is or are or hereafter may be interested in or entitled unto any Part of the National Debt redeemable by Law, which now carries an Interest after the Rate of Four Pounds *per Centum per Annum*, and is usually known by the Name of New Four *per Centum* Annuities, payable at the Bank of *England* and at the Bank of *Ireland* respectively, and who shall not signify his, her, or their Dissent in manner herein-after mentioned, shall, in lieu of every One hundred Pounds of such Four Pounds *per Centum* Annuities respectively, receive and be entitled to the Sum of One hundred Pounds in a new Stock, to be called "The New Three Pounds and Ten Shillings *per Centum* Annuities," and to carry an Interest after the Rate of Three Pounds and Ten Shillings *per Centum per Annum*, and so in proportion for any greater or less Amount than One hundred Pounds of such Four Pounds *per Centum* Annuities respectively; and that the Dividends thereof shall be payable half-yearly, at the Bank of *England*, upon the Fifth Day of *January* and the Fifth Day of *July*, and at the Bank of *Ireland* on the Fifth Day of *April* and on the Tenth Day of *October*, in each and every Year; and the first half-yearly Dividend on the said New Three Pounds and Ten Shillings *per Centum* Annuities shall be payable at the Bank of *England* on the Fifth Day of *January* One thousand eight hundred and thirty-one, and at the Bank of *Ireland* on the Fifth Day of *April* One thousand eight hundred and thirty-one; and that the said New Three Pounds and Ten Shillings *per Centum* Annuities shall be subject and liable to Redemption at any Time after the Fifth Day of *January* One thousand eight hundred and forty, and not before that Period; and that the said New Three Pounds and Ten Shillings *per Centum* Annuities shall be free from all Taxes, Charges, and Impositions, in the like Manner as the said New Four *per Centum* Annuities.

Every Person entitled to 100*l.* New Four per Cents, and not dissenting, shall receive 100*l.* New 3*l.* 10*s.* per Cent. Annuities.

Dividends to be paid half-yearly.

New 3*l.* 10*s.* Stock to be redeemable after 5th Jan. 1840.

Within One Month after Period for Dissent, the Holders of Four per Cents, not having dissented, may

II. Provided always, and be it enacted, That, within One Calendar Month next after the Expiration of the Periods severally fixed for expressing the Dissent from accepting and receiving a Share in the said New Three Pounds and Ten Shillings *per Centum* Annuities in lieu of the said Four Pounds *per Centum* Annuities, it shall and may be lawful for any Person, or Body Politic or Corporate, entitled to any Sum in such Four Pounds *per Centum* Annuities, and not having

signified such Dissent as aforesaid within such Periods respectively, to subscribe to a new Stock, to be called "The New Five Pounds *per Centum* Annuities;" and every such Person shall receive and shall be entitled to the Sum of Seventy Pounds in such New Five Pounds *per Centum* Annuities in lieu of every One hundred Pounds of such Four Pounds *per Centum* Annuities, and so in proportion for any greater or less Amount than One hundred Pounds of such New Four Pounds *per Centum* Annuities; and that the Dividends on such New Five Pounds *per Centum* Annuities shall be payable half-yearly, at the Bank of *England*, upon the Fifth Day of *January* and the Fifth Day of *July*, and at the Bank of *Ireland* on the Fifth Day of *April* and the Tenth Day of *October*, in each and every Year; and the first half-yearly Dividend on the said New Five Pounds *per Centum* Annuities shall be payable at the Bank of *England* on the Fifth Day of *January* One thousand eight hundred and thirty-one, and at the Bank of *Ireland* on the Fifth Day of *April* One thousand eight hundred and thirty-one; and that the said New Five Pounds *per Centum* Annuities shall be subject and liable to Redemption at any Time after the Fifth Day of *January* One thousand eight hundred and seventy-three, and not before that Period; and that the said Five Pounds *per Centum* Annuities shall be free from all Taxes, Charges, and Impositions, in like Manner as the said Four *per Centum* Annuities.

subscribe to New Five per Cent. Stock; and shall be entitled to 70*l.* of such Stock for every 100*l.* Four per Cents.

Dividends payable half-yearly.

New Five per Cent. Stock redeemable after 5th Jan. 1873.

III. And be it further enacted, That the Interest and Dividends payable in respect of the said New Three Pounds and Ten Shillings *per Centum* Annuities and New Five *per Centum* Annuities shall be charged and chargeable upon, and shall be issued and paid out of, the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the same Manner as the Interest and Dividends of the said Four Pounds *per Centum* Annuities respectively now stand charged on the said Fund.

Interest to be charged on Consolidated Fund.

IV. And be it further enacted, That all and every Person and Persons, Bodies Politic or Corporate, who shall not, on or before the Twenty-fourth Day of *April* One thousand eight hundred and thirty, signify his, her, or their Dissent from accepting and receiving a Share in the said New Three Pounds and Ten Shillings *per Centum* Annuities, in lieu of his, her, or their respective Shares in the said respective Four Pounds *per Centum* Annuities, or for any Part of such respective Shares in such last-mentioned Annuities, in the Manner herein-after directed, shall be deemed and taken to have consented to accept and receive the same: Provided always, that if any Proprietor or Proprietors of the said respective Four Pounds *per Centum* Annuities shall not have been within the Limits of the United Kingdom at any Time between the Twenty-third Day of *March* and the Twenty-fourth Day of *April* One thousand eight hundred and thirty, but shall have been in any other Part of *Europe*, it shall be lawful for such Proprietor or Proprietors to signify such Dissent at any Time before the First Day of *July* One thousand eight hundred and thirty; and if any such Proprietor or Proprietors shall not, at any Time between the Twenty-third Day of *March* and the First Day of *July* One thousand eight hundred and thirty, have been within any Part

Persons not dissenting from receiving the New 3*l.* 10*s.* per Cent. Annuities shall be deemed assenting.

Time limited for dissenting.

Part of *Europe*, it shall be lawful for him, her, or them to signify such Dissent at any Time before the First Day of *April* One thousand eight hundred and thirty-one; such Proprietor or Proprietors proving, to the Satisfaction of the Governor and Directors of the Bank of *England* or Bank of *Ireland* respectively, or any Two or more of them, his, her, or their Absence from the United Kingdom, or out of *Europe*, as the Case shall happen, and that his, her, or their Share or Shares of such Four Pounds *per Centum* Annuities stood in his, her, or their Name or Names respectively, or in the Name or Names of any One or more Trustee or Trustees on his, her, or their Behalf, on the Twenty-third Day of *March* One thousand eight hundred and thirty, in the Books of the Governor and Company of the Bank of *England* or Bank of *Ireland* respectively; and provided also, that such Proprietor or Proprietors so absent from the United Kingdom, or out of *Europe*, shall signify his, her, or their Dissent within Ten Days after his, her, or their Return to the United Kingdom.

Persons dissenting shall signify the same to the Governor and Company of the Bank of England or Ireland respectively.

V. And be it further enacted, That all Persons, and Bodies Politic or Corporate, possessed of any Part of the respective Four Pounds *per Centum* Annuities, and who shall desire to signify such Dissent as aforesaid, shall, on or before the Twenty-fourth Day of *April* One thousand eight hundred and thirty, by themselves or some Agent or Agents for that Purpose duly authorized, signify such Dissent to the Governor and Company of the Bank of *England* or to the Governor and Company of the Bank of *Ireland* respectively, in Writing under his, her, or their Hand or Hands, or the Hand or Hands of his, her, or their Agent or Agents authorized as aforesaid, together with the Amount of his, her, or their respective Shares in the said Four Pounds *per Centum* Annuities; and which said Dissents shall be entered in a Book or Books to be opened and kept by the Governor and Company of the said Banks respectively for that Purpose, and shall be numbered in the Order in which such Dissents shall be received by such Governor and Company; and in case of any Transfer of such Shares, or any Part or Parts thereof, after such Dissent, the Part or Parts so transferred shall be entered in the Books of such Governor and Company under the same Numbers as were affixed to such Shares when the Dissent or Dissents was or were so signified; and every such dissentient Proprietor or Proprietors, or his, her, or their Assigns, or the Executors or Administrators of such Assigns, under any such Transfer, shall be paid off in such Order and at such Periods and in such Manner as Parliament may direct.

Paying off Dissentients.

Dissents of the Accountant General in Chancery and Accountant General of Exchequer may be signified within a certain Time; and no Orders made in relation thereto

VI. Provided always, and be it enacted, That it shall be lawful for the Accountant General of the Court of Chancery, and also for the Accountant General of His Majesty's Court of Exchequer, in *England* and *Ireland* respectively, at any Time before the Thirtieth Day of *July* One thousand eight hundred and thirty, to signify to the Governor and Company of the Bank of *England* or *Ireland* respectively, on behalf of any Suitors or others interested in any such Four Pounds *per Centum* Annuities standing in the Names of such Accountants General respectively, their Dissent under this Act in respect of any of such Annuities; and General or Special Orders may be

be made in a summary Way, either upon Application by Motion or Petition of Suitors or Persons interested, or upon Motion by His Majesty's Attorney General, or otherwise, by the said Courts respectively, in respect of any such Annuities, either as to signifying or not signifying any such Dissents, or as to any other Matter or Thing relating to any such Annuities or the Dividends thereof, or to any Three Pounds and Ten Shillings *per Centum* Annuities which may be created in lieu thereof, or to the Application of any such Three Pounds and Ten Shillings *per Centum* Annuities or the Dividends thereof; and no Application, Petition, or Affidavit made by or on behalf of any Suitor or other Person interested in any of such Annuities or the Dividends thereof respectively, or Order or Report made or other Proceeding had in either of the said Courts respectively, in consequence of this Act, or which may arise out of any of the Provisions of this Act, in relation to the said Four Pounds *per Centum* Annuities respectively, or any Part or Share or Shares thereof, standing in the Names of the said Accountant General of the said Courts respectively, or in relation to any Three Pounds and Ten Shillings *per Centum* Annuities which may be created under this Act, and hereafter stand in the Names of the said Accountants General respectively, in lieu of the said Four Pounds *per Centum* Annuities before standing in their Names respectively, or the Dividends of such respective Annuities, nor any Copy or Copies of such Application, Petition, Affidavit, Order, Report, or other Proceeding, shall be subject or liable to be stamped, or charged or chargeable with any Stamp Duties whatever, any thing in any Act or Acts of Parliament to the contrary notwithstanding; and the said Accountants General respectively shall be deemed and taken to have consented to accept and receive Shares in the said New Three Pounds and Ten Shillings *per Centum* Annuities, in lieu of all such Four Pounds *per Centum* Annuities standing in their Names respectively, as to which no such Dissent shall have been signified by them respectively as aforesaid; and the said Accountants General of the said Courts of Chancery and Exchequer respectively shall be and are hereby fully indemnified against all Actions, Suits, or Proceedings for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any of the Provisions of this Act, and also for and in respect of their respectively not signifying in any Case such their Dissent as aforesaid; and in case any Action, Suit, or other Proceeding be commenced or instituted against the said Accountants General, or either of them, for or in respect of any such Act, Matter, or Thing, or not signifying any Dissent as aforesaid, it shall and may be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay, such Action, Suit, or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

shall be subject to Stamp Duties.

Indemnity for Accountants General.

VII. And be it further enacted, That all Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such shall have the Controul over any Shares of the said respective Four Pounds *per Centum* Annuities, standing either in their own Names or in the Name or Names of

Executors, Trustees, &c. may dissent.

any Testator or Intestate, or of any Infant or Infants, or Idiot or Lunatic, may, if residing within the United Kingdom, signify such Dissent as aforesaid to the Governor and Company of the Bank of *England* or to the Governor and Company of the Bank of *Ireland* respectively at any Time before the last Day of *April* One thousand eight hundred and thirty; and if either of any Two or more of any such Executors, Administrators, Guardians, Trustees, or Committees shall reside out of the United Kingdom, the Period within which such Dissent may be signified shall be regulated by the Residence of the most distant of such Executors, Administrators, Guardians, Trustees, or Committees, in each Case; and all Executors, Administrators, Guardians, Trustees, and Committees, not signifying such Dissent within the Periods specified in this Act, according to such Residence, shall be deemed and taken to have assented to accept and receive a Share in the said New Three Pounds and Ten Shillings *per Centum* Annuities, and they are hereby severally and respectively indemnified for not signifying such Dissent under this Act.

Indemnity for such Executors.

Executors, &c., not having signified Dissent, may subscribe to New Five per Cents.

VIII. Provided always, and be it enacted, That it shall and may be lawful for all such Executors, Administrators, Guardians, Trustees, or Committees as aforesaid, who shall not have signified such Dissent as aforesaid, to subscribe to such New Five Pounds *per Centum* Annuities, in case they shall think proper so to do.

Payments of Dividends on Four per Cents.

IX. And be it further enacted, That every Person who shall be entitled to receive the Dividends upon any such Four Pounds *per Centum* Annuities transferrable at the Bank of *England* shall be paid and receive the Dividend which will become due thereon on the Fifth Day of *July* One thousand eight hundred and thirty; and that every Person who shall be entitled to receive the Dividends upon any such Four Pounds *per Centum* Annuities transferrable at the Bank of *Ireland* shall be paid and receive the Dividend which will become due thereon on the Tenth Day of *October* One thousand eight hundred and thirty; and the said Four Pounds *per Centum* Annuities respectively shall be paid off or converted into Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities, as the Case may require, from and after the said Fifth Day of *July* and Tenth Day of *October* One thousand eight hundred and thirty respectively; and every Transfer of any of the said Annuities at the Rate of Four Pounds *per Centum per Annum*, which may have taken place, to or from the Books of the Governor and Company of the Bank of *England* from or to the Books of the Governor and Company of the Bank of *Ireland*, at any Time after the Twenty-third Day of *March* One thousand eight hundred and thirty, shall be and the same is hereby declared to be null and void.

Time of paying them off.

Transfers of them between the Banks of England and Ireland, after 23d March 1830, void.

Books to be opened at the Bank of England or Ireland for receiving the Entry of the New 3*l.* 10*s.*

X. And be it further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* or *Ireland* respectively, at any Time after the First Day of *May* One thousand eight hundred and thirty, to open Books for writing up and receiving the Entry into the said New Three Pounds and Ten Shillings *per Centum* Annuities, or into the said New Five *per Centum* Annuities,

of

of any of the Four Pounds *per Centum* Annuities before described, belonging to any Proprietor or Proprietors who may not have expressed his, her, or their Dissent to receive such Three Pounds and Ten Shillings *per Centum* Annuities, and who may be desirous of converting his, her, or their Four Pounds *per Centum* Annuities into the said Annuities at the Rate of Three Pounds and Ten Shillings *per Centum per Annum* or Five Pounds *per Centum per Annum*, before the Fifth Day of *July* One thousand eight hundred and thirty, at the Bank of *England*, and before the Tenth Day of *October* One thousand eight hundred and thirty, at the Bank of *Ireland*; but the Dividend or Dividends of the said Four Pounds *per Centum* Annuities which would become due on the Fifth Day of *July* One thousand eight hundred and thirty, at the Bank of *England*, or on the Tenth Day of *October* One thousand eight hundred and thirty, at the Bank of *Ireland*, shall be paid and payable to the Person or Persons in whose Name such Four Pounds *per Centum* Annuities stood immediately before they were so converted into Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities; and the first Dividend of such Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities, notwithstanding such Conversion previously to the Fifth Day of *July* or Tenth Day of *October* One thousand eight hundred and thirty respectively, shall not become due until the Fifth Day of *January* or Fifth Day of *April* One thousand eight hundred and thirty-one respectively.

and 5*l.* per Cent. Annuities.

XI. And for the more easy and sure Payment of the Annuities established by this Act, be it further enacted, That the Governor and Company of the Bank of *England* and the Governor and Company of the Bank of *Ireland* respectively, and their Successors, shall from Time to Time employ their Chief or First Cashier or Cashiers and their Accountant General in the Execution of this Act; and the Monies from Time to Time necessary for the Payment of the said Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities, in *England*, shall, by Order of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, or the Lord High Treasurer, for the Time being, without any further Warrant to be sued for, had, or obtained in that Behalf, be issued and paid at the Receipt of the Exchequer in *England* to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the said Annuities there; and the Monies from Time to Time necessary for Payment of the said Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities, in *Ireland*, shall, by Warrant of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, countersigned by the Vice Treasurer of *Ireland* for the Time being, in manner required by Law, be issued and paid, according to the Course of the Exchequer in *Ireland*, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *Ireland*, and their Successors for the Time being, for the Payment of the said Annuities there; and every such Cashier or Cashiers

Banks of England and Ireland shall employ their Cashier and Accountant General.

Cashiers to whom the said Monies shall from Time to Time be issued shall from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer in *England* and *Ireland* respectively.

Accountant General shall examine Receipts and Payments.

XII. And be it further enacted, That the Accountant General for the Time being of the Bank of *England* or Bank of *Ireland* respectively shall from Time to Time inspect and examine all Receipts and Payments of the Cashier or Cashiers of the said Banks respectively, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence, or Delay.

The several Annuities under this Act shall be each One Joint Stock.

XIII. And be it further enacted, That the said several Annuities after the Rate of Three Pounds and Ten Shillings *per Centum* or Five Pounds *per Centum*, created by virtue of this Act, shall be each deemed, reputed, and taken to be One Capital or Joint Stock respectively; and that all and every Person and Persons and Bodies Politic and Corporate whatsoever shall have and be deemed to have a proportional Interest and Share in such Stock, and in the Annuity attending the same respectively, at the Rate aforesaid; and that such Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same respectively, shall be assignable and transferrable as this Act directs, and not otherwise; and that there shall constantly be kept in the Office of the Accountant General for the Time being of the Banks of *England* and *Ireland* respectively a Book or Books wherein all Assignments or Transfers of such Capital or Joint Stock, or any Part thereof, and the proportional Annuity attending the same, at the Rates aforesaid, shall be respectively entered and registered, which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if any such Party or Parties be absent, by his, her, or their Attorney or Attornies thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses, and that any Person or Persons to whom such Transfer or Transfers shall be made shall respectively underwrite his, her, or their Acceptance thereof; and that no other Method of assigning or transferring any such Stock, and the Annuities attending the same, or any Part thereof, or any Interest therein, shall be good and available in Law; and that no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities to be Personal Estate.

XIV. And be it further enacted, That all Persons and Corporations entitled to any such Annuity or Annuities of Three Pounds and Ten Shillings *per Centum* or Five Pounds *per Centum* created by this Act, and their Administrators, Successors, and Assigns respectively, and all Persons and Corporations lawfully claiming under them, shall have good, sure, absolute, and indefeasible Estates and Interests in the said respective Annuities, according to the true Tenor and Meaning of this Act, and shall be possessed thereof as of a Personal Estate, devisable as such, and which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the

Custom of *London* or otherwise, any Law, Custom, or Usage to the contrary notwithstanding; but no Payment shall be made, nor any Transfer allowed, upon any Devise, until such Devise shall have been duly entered at the Bank of *England* or Bank of *Ireland* respectively, as the Case may require.

Powers of Attorney for Receipt of Dividends on Four per Cents shall remain in force for Receipt of New $3\frac{1}{2}$ or 5 per Cents.

XV. And be it further enacted, That all Powers of Attorney which shall be in force at the Time of passing this Act, and which would have remained in force if this Act had not passed, for the Receipt of Dividends or for Sale or Transfer of any Four Pounds *per Centum* Annuities which shall under or by virtue of this Act be converted into the said New Three Pounds and Ten Shillings *per Centum* or Five Pounds *per Centum* Annuities, shall continue and remain in full Force and Effect for receiving the Dividends which shall become due on the Three Pounds and Ten Shillings *per Centum* Annuities or on the Five Pounds *per Centum* Annuities created by this Act in lieu thereof, or for selling or transferring any such Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities, and also for receiving Dividends on any further Sum of such Three Pounds and Ten Shillings or Five Pounds *per Centum* Annuities which the Parties by whom such Letters of Attorney were given may hereafter purchase or acquire, until such Powers are revoked or otherwise determined.

Certificates of Amount of Stock exchanged or *paid off, &c. shall be sent to Commissioners for Reduction of the National Debt.*

XVI. And be it further enacted, That, as soon after the Expiration of the respective Periods allowed by this Act for signifying any Dissent under this Act as the same can be done, Certificates shall be from Time to Time made out and transmitted to the Commissioners for the Reduction of the National Debt in *London*, by the proper Officer or Officers of the Bank of *England* and Bank of *Ireland* respectively, of the Amount of Four Pounds *per Centum* Annuities which shall have been exchanged into such New Three Pounds and Ten Shillings Annuities or Five Pounds *per Centum* Annuities, or paid off, under the Provisions of this Act, and of the annual Interest which shall have ceased thereby, and also of the capital Amount of such New Three Pounds and Ten Shillings *per Centum* or Five Pounds *per Centum* Annuities created by such Exchange, and of the annual Interest thereon.

Bonds and Contracts to transfer 4*l.* per Cents to be deemed satisfied by a Transfer of the New $3\frac{1}{2}$*l.* per Cents.

XVII. And be it further enacted, That in every Case in which any Person or Persons shall at the Time of the passing of this Act be or remain bound by the Condition of any Bond or Obligation, or by the Terms of any Instrument in Writing, or by any Agreement or Contract, to transfer any Amount of Capital Stock in the said Four Pounds *per Centum* Annuities, the Condition of every such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, shall be deemed in Law and Equity to be satisfied by making a Transfer of an equal Amount of Capital Stock in the New Three Pounds Ten Shillings *per Centum* Annuities; and that where any Party is, by the Condition of any such Bond or Obligation, or the Terms of any such Instrument in Writing, or Agreement or Contract, bound or required to pay half-yearly Sums equal to the Dividends on any specified Amount of any such Four Pounds

per Centum Annuities respectively, every such Bond, Obligation, Instrument, Agreement, or Contract shall be satisfied by the Payment of half-yearly Sums equal to the Dividends of or upon the same Amount of the said Three Pounds Ten Shillings *per Centum* Annuities.

Lenders of 4*l.* per Cents on Contract to replace may demand 100*l.* in Money for every 100*l.* in Stock.

XVIII. Provided always, and be it further enacted, That in every Case in which any such Four Pounds *per Centum* Annuities respectively shall have been transferred in the way of Loan upon any Condition in any Bond or Instrument or under or upon any Agreement or Contract for the Repayment of such Loan by the replacing the Amount of Stock so transferred, it shall be lawful for the Person or Persons who shall have made any such Loan, or their Executors, Administrators, or Assigns, to declare an Option, and give Notice thereof in Writing, and thereby require the Repayment of One hundred Pounds of lawful Money of *Great Britain* for every One hundred Pounds Capital Stock of such Four Pounds *per Centum* Annuities transferrable at the Bank of *England*, so transferred in the way of Loan as aforesaid, and so in proportion for any greater or less Amount; and every Bond, Obligation, Instrument, Agreement, or Contract, given, entered into, or made upon any such Loan or Contract, shall be deemed in every such Case, in Law and in Equity, to entitle the Person or Persons, his, her, or their Executors, Administrators, or Assigns, to such Repayment in Money, and to demand and recover the same in any Court in which any Action, Suit, Process, or Proceeding may be brought, instituted, or carried on upon any such Bond, Obligation, Instrument, Agreement, or Contract; any thing in any such Bond or Obligation, Instrument, Agreement, or Contract, to the contrary notwithstanding.

Trusts as to 4*l.* per Cents shall extend to 3½*l.* per Cents; and Directions to the Application of 4*l.* per Cents shall be carried into effect by the Application of the 3½*l.* per Cents.

XIX. And be it further enacted, That all Trusts, whether created by Will or otherwise, and which existed either in the whole or in part, and all Directions contained in any Will or Devise or Testamentary Paper, which remain unexecuted at the Time of the passing of this Act, as to any Four Pounds *per Centum* Annuities which may under this Act be converted into Three Pounds Ten Shillings *per Centum* Annuities, or as to the Payment or Distribution of any Dividends thereon, or as to the Transfer of any such Annuities, in any Events specified in any such Trusts or Will or Testamentary Paper, shall extend, and be deemed and construed, in all Cases, and in all Courts of Law and Equity in the United Kingdom or elsewhere in any Dominions or Territories belonging to His Majesty, to extend and to apply to all such Three Pounds Ten Shillings *per Centum* Annuities created in lieu of any Four Pounds *per Centum* Annuities subject to or affected by any such Trusts or Devises or Wills or Testamentary Papers, for all Purposes and in all Cases in which such Trusts or to which any such Directions can be made applicable: Provided always, that in all Cases in which any Proportions or Parts of any such Four Pounds *per Centum* Annuities are required to be transferred under any such Trusts or under the Provisions of or Directions contained in any Will, Devise, or Testamentary Paper, or any Proportion or Part of any Dividends arising from and out of any such Four Pounds *per Centum* Annuities are required to be paid

or distributed, the Transfer of a like Amount of Three Pounds Ten Shillings *per Centum* Annuities, and the Payment and Distribution of Dividends at the Rate of Three Pounds Ten Shillings *per Centum*, instead of Four Pounds *per Centum*, upon the Capital, shall be and be deemed and taken in all Courts and for all Purposes to be a due Execution of such Trusts, or of the Directions contained in any Will or Testamentary Paper, and shall fully discharge the Trustee or Executor or Executors making the same, who are hereby declared to be and are hereby fully indemnified in respect of such Execution of any such Trusts and Executorship as aforesaid.

Questions as to Trusts in the 4*l.* per Cents may be decided by the Courts of Chancery or Exchequer, or the Court of Session.

XX. And be it further enacted, That in every Case in which any Question may have arisen or may arise upon the Execution of any Trusts, or upon any Distributions which may have been or may be made or may remain to be made, by any Trustees, Executors, or Administrators, of or in relation to or arising out of any such Four Pounds *per Centum* Annuities, or of any Parts or Proportions of any such Four Pounds *per Centum* Annuities, which may have been vested in any Trustees, or which may have been distributable by any Executors or Administrators, or as to the Application of any Residue thereof, or as to the Distribution or Application of any Three Pounds Ten Shillings *per Centum* Annuities transferred under the Provisions of this Act in lieu of any Four Pounds *per Centum* Annuities, whether as to the Powers or Authorities of any such Trustees, Executors, or Administrators, or as to the relative Interest of any Persons entitled under any such Trusts or under Wills to receive any Annuities charged upon or arising or payable out of the Proceeds of any such Four Pounds *per Centum* Annuities, and of any Persons interested in any Residue of any such Four Pounds *per Centum* Annuities, whether under any specific Provision relating to any such Trusts, or contained in any Wills, or arising out of the Execution of any Wills by any Executors, or the Distribution of any Estates by any Administrators, and in all other Cases whatsoever in which any Question may arise in consequence of the Transfer of any such Four Pounds *per Centum* Annuities into Three Pounds Ten Shillings *per Centum* Annuities, it shall be lawful for any such Trustees, Executors, or Administrators, and for Persons entitled to or interested in any such Four Pounds *per Centum* Annuities, or any Three Pounds Ten Shillings *per Centum* Annuities created in lieu thereof, or in any Proceeds of any such Annuities, whether in Reversion or otherwise, to make Application to the High Courts of Chancery or to the Courts of Exchequer in *England* or *Ireland* respectively, or the Court of Session in *Scotland*, in a summary Way, either by Motion or Petition; and it shall be lawful for the High Courts of Chancery or for the Courts of Exchequer in *England* or *Ireland* respectively, or for the Court of Session in *Scotland*, to make General Orders in relation to any such Question, or Special Orders, in a summary Way, upon any such Application, or as to any other Matter or Thing relating to any such Annuities, or to any Dividends thereof, or to any Three Pounds Ten Shillings *per Centum* Annuities which may be created in lieu thereof, or to the Application of any such Three Pounds Ten Shillings *per Centum* Annuities, or any Dividends thereof; and no Application, Petition, or Affidavit made by or on behalf of any Trustees

Trustees, Executors, or Administrators, or Trustee, Executor, or Administrator, or other Person or Persons interested in any of such Annuities or any Dividends thereof respectively, nor any Order or Report made or other Proceeding had in any or either of the said Courts respectively, in consequence of any Question which may arise out of any of the Provisions of this Act, in relation to the Four Pounds *per Centum* Annuities, or any Part or Share or Shares thereof, or in relation to any Three Pounds Ten Shillings *per Centum* Annuities which may be created under this Act in lieu of the said Four Pounds *per Centum* Annuities, or the Dividends of such respective Annuities, nor any Copy or Copies of such Application, Petition, Affidavit, Order, Report, or other Proceeding, shall be subject or liable to be stamped, or charged or chargeable with any Stamp Duties whatever, any thing in any Act or Acts of Parliament to the contrary notwithstanding; and all Trustees, Executors, Administrators, and other Persons, acting under any Orders made by any or either of such Courts respectively, or whose Acts shall be confirmed by any or either of such Courts respectively if done before any Application made to any or either of the said Courts respectively, shall be and are hereby fully indemnified against all Actions, Suits, or Proceeding for or in respect of any Act, Matter, or Thing done by them respectively in pursuance of or under any such Order, or which shall be confirmed by any such Order; and in case any Action, Suit, or other Proceeding be commenced or instituted against any such Trustee, Executor, Administrator, or other Person, for or in respect of any such Act, Matter, or Thing, it shall be lawful for the Court in which such Action, Suit, or Proceeding shall be commenced or shall be pending, upon summary Application, to stay, and such Court is hereby required to stay, such Action, Suit, or Proceeding, and to make such Order relative to the Costs thereof as such Court shall think expedient.

New 3½*l.* per Centum Annuities may be accepted by the Commissioners for Life Annuities.

XXI. And be it further enacted, That it shall be lawful for the Commissioners for the Reduction of the National Debt, and they are hereby empowered and required, to accept and receive Three Pounds Ten Shillings *per Centum* Reduced Annuities or Five Pounds *per Centum* Annuities, to be created by virtue of this Act, as the Consideration for the Purchase of Life Annuities; and for the Purpose of ascertaining the Price of such Stock or Annuities, the Cashier or Cashiers of the Bank of *England* shall and they are hereby required, on every Day on which any of the said Annuities shall have been bought at the Bank of *England*, to cause an Account to be made out of the average Price thereof, according to the Regulations prescribed by any Act or Acts now in force for ascertaining the average Price of the Three Pounds *per Centum* Bank Annuities, for enabling the Purchase of Life Annuities; which said Account shall be transmitted to the Officer appointed by the said Commissioners, to enable him to ascertain the respective Amounts of the like Annuities which may be purchased by the Transfer of such Three Pounds Ten Shillings *per Centum* Reduced Annuities as aforesaid.

Mode of computing New 3½*l.* per Cents.

XXII. And be it further enacted, That when any Three Pounds Ten Shillings *per Centum* Reduced Annuities or Five Pounds *per Centum*

Centum Annuities shall be transferred to the said Commissioners for the Purchase of Life Annuities, that such Three Pounds Ten Shillings *per Centum* Reduced Annuities or Five Pounds *per Centum* Annuities shall be first converted, by the Computation of the said Officers, into Three Pounds *per Centum* Consolidated or Reduced Bank Annuities (at the Option of the Purchaser), according to the average Price of those Stocks, to be ascertained as herein-before directed; and the Life Annuities to be granted thereon shall be calculated and ascertained upon the Amount of the Three Pounds *per Centum* Bank Annuities, including Fractions (if any), produced by such Conversion, according to the Provisions, Rules, and Regulations prescribed by any Act or Acts now in force enabling the said Commissioners to grant Life Annuities.

Indemnifying the Banks of England and Ireland for Acts done by their Officers under this Act.

XXIII. And be it further enacted, That this Act shall be and the same is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England* and to the Governor and Company of the Bank of *Ireland*, their Officers and Servants, and every of them, for all Things done or permitted to be done pursuant thereto, and that the same shall not be questioned or impeached in any Court of Law or Equity whatsoever to their Prejudice or Detriment.

New Stock transferrable at Banks of England and Ireland may be mutually transferred, conformable to Directions of 5 Geo. 4. c. 53. as altered by 6 G. 4. c. 79.

XXIV. And be it further enacted, That it shall and may be lawful for any Person who shall at any Time hold any Stock in the Three Pounds and Ten Shillings *per Centum* Annuities or in the Five Pounds *per Centum* Annuities created by this Act, transferrable at the Bank of *Ireland*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferrable at the Bank of *England;* and in like Manner it shall be lawful for any Person who shall at any Time hold any Stock in the said Three Pounds and Ten Shillings *per Centum* Annuities or Five Pounds *per Centum* Annuities created by this Act, transferrable at the Bank of *England*, to transfer or cause to be transferred any such Annuities respectively, for the Purpose of having corresponding Sums written into and consolidated with and made Part of the Capital of the like Annuities respectively transferrable at the Bank of *Ireland;* and all such Transfers shall be made on the Terms and Conditions, and subject to all the Clauses, Directions, and Regulations contained in an Act made in the Fifth Year of the Reign of His present Majesty, intituled *An Act to permit the mutual Transfer of Capital in certain Public Stock or Funds transferrable at the Banks of* England *and* Ireland *respectively*, as the same is altered or affected by an Act of the Sixth Year of His present Majesty, intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of* Great Britain *and* Ireland; and all Clauses and Provisions of the said Acts relating to any Funds, Stocks, or Annuities, shall extend and be construed to extend to the Annuities created by this Act, in like Manner as if the said Annuities had been specified in the said recited Acts or either of them.

Act may be altered this Session.

XXV. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this present Session of Parliament.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XIV.

An Act for removing the Market at present held for the Sale of Hay and Straw from the *Haymarket;* and for establishing Markets for the Sale of Hay, Straw, and other Articles, in *York Square, Clarence Gardens,* and *Cumberland Market,* in the Parish of *Saint Pancras* in the County of *Middlesex.* [3d *May* 1830.]

WHEREAS a Market has been for a long Time past held for the Sale of Hay and Straw in the Street called the *Haymarket,* in the Parishes of *Saint James* and *Saint Martin-in-the-Fields* within the Liberty of *Westminster* in the County of *Middlesex:* And whereas by an Act passed in the Eighth and Ninth Years of the Reign of His late Majesty King *William* the Third, intituled *An Act for paving and regulating the* Haymarket *in the Parishes of* Saint Martin-in-the-Fields *and* Saint James *within the Liberty of* Westminster, Provisions are made for the Payment, Collection, and Application of certain Sums of Money in respect of every Cart Load or Parcel of Hay and Straw brought into and standing for Sale in the said Street; and the Extent of the said Market is defined, and Provisions made for its Regulation: And whereas the said Market occasions great Obstruction to the Thoroughfare of the said Street, and much Annoyance to the Inhabitants of the Street and its Vicinity; and it is therefore desirable that it should be 8 & 9 W. 3. c. 17.

be removed: And whereas it would be of considerable Advantage to the Estates of the Crown contiguous to the said Street, and a great Convenience to the Inhabitants of the Parishes of *Saint Mary-le-bone* and *Saint Pancras*, and of the neighbouring Parts of the Metropolis, that a Market should be established within the open Places or Squares herein-after mentioned, for the Sale of Hay and Straw, and such other Articles, Matters, and Things as shall from Time to Time be appointed and allowed by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues: And whereas the Ground or Soil of the said open Places or Squares belongs to His Majesty in Right of His Crown, and is within the Order and Survey of the Court of Exchequer: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Day next before the Day on which the Market Place to be appropriated for the Sale of Hay and Straw, as herein-after mentioned, shall be opened for public Use, the Market for Hay and Straw now held in the said Street called the *Haymarket* shall cease and be at an end; and if any Person shall thereafter sell or expose to Sale any Hay or Straw within the said Street called the *Haymarket*, every Person so offending shall for each such Offence, on Conviction before One or more Justice or Justices of the Peace for the said County of *Middlesex*, forfeit and pay any Sum not exceeding Ten Pounds, to be received, recovered, and applied as herein-after mentioned: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any Hay or Straw in his or her own Premises, in such Manner as he or she may now lawfully do.

Discontinuance of the present Market for Hay and Straw in the Haymarket.

II. And be it further enacted, That after the aforesaid Market shall have so ceased, the said recited Act of the Eighth and Ninth Years of the Reign of His late Majesty King *William* the Third shall be and the same is hereby repealed, except so far as regards the Collection, Recovery, and Application of Monies payable or paid under the Provisions of that Act previously to the said Markets having so ceased.

Recited Act, 8 & 9 W. 3. c. 17. repealed.

III. And be it further enacted, That from and immediately after the passing of this Act, the said open Spaces of Ground or Squares situate in the said Parish of *Saint Pancras*, and called *York Square*, *Clarence Gardens*, and *Cumberland Market*, or such of them or such Parts thereof respectively as the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall think proper, shall be appropriated as the Sites of a Market for the Sale of Hay and Straw, and such Goods, Wares, Merchandize, and other Commodities, Articles, Matters, and Things, as shall from Time to Time be by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues appointed or allowed to be sold therein.

Places appropriated for the Sites of a Market for Hay and Straw.

IV. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests,

Market Places to be provided for

and Land Revenues, and they are hereby authorized, to appropriate and set apart such Portions as they shall think proper of the said open Spaces of Ground as and for public Market Places for exposing to Sale Hay, Straw, Corn, Grain, Flour, Malt, Hops, and other Agricultural Produce in Bulk; Meat, Fish, Poultry, Eggs, and other Articles of Animal Food; Fruit, Vegetables, Flowers, Plants, and other Articles of Vegetable Produce; and from Time to Time to vary and alter the Form and Situation of the said several Market Places, or any of them, and diminish or extend the same, and appropriate other Portions of the said open Spaces of Ground for exposing to Sale other Commodities, Articles, Matters, and Things, and from Time to Time to alter and vary the same, as the said Commissioners for the Time being shall think expedient; and also to do and perform all such other Acts, Matters, and Things as to the said Commissioners shall appear necessary or proper for the making, preserving, maintaining, and using of the said several Market Places.

Corn, Hay, and other Things.

V. And be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall, by Advertisements to be inserted in the *London Gazette* and such other Newspapers as they shall think proper, give Notice of the Day or Days on which the new Market Places to be so appropriated as aforesaid will be respectively opened for public Use, and shall cause such Notice or Notices to be given at least One Calendar Month previously to the Day or Days on which the Market Place or Market Places to which the same shall respectively relate shall be so opened.

Notice to be given when new Markets are ready to be opened.

VI. And be it further enacted, That on the Day for which any such Notice as aforesaid shall be given a Market shall commence and shall from thenceforth continue to be held on the Sites to be so appropriated for the same respectively, as herein-before directed, for the Sale of such several Commodities, Articles, Matters, and Things as shall from Time to Time be directed or allowed to be sold in the said Market by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues; and the said Market to be established shall be called "The *Regent's Park* Market;" and the said Market shall be held on such Days and in such Manner, and subject to such Regulations, as the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall from Time to Time order and direct; and the said Commissioners for the Time being may and shall, by their Collectors, Farmers, Officers, or Servants, ask, demand, recover, receive, and take, of and from all Persons exposing or offering for Sale or selling any Commodity, Article, Matter, or Thing in the said Market, or who shall rent, use, or hire any Stall or Standing Place in the said Market, the several Rents, Tolls, Pickage, Stallage, or Sum or Sums of Money which shall from Time to Time be appointed in that Behalf by the said Commissioners for the Time being, not exceeding the several Rents, Tolls, Duties, Pickage, Stallage, or Sum or Sums of Money specified in the First Schedule to this Act annexed; any Charter, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Power to hold Markets.

VII. And

Table of Tolls to be set up.

VII. And be it further enacted, That the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall set up and maintain, in some conspicuous Part of the said Market, a Table of the Tolls to be taken by virtue of this Act, painted on Boards in White Letters on a Black Ground, to be renewed as often as the same shall be obliterated or defaced; and in case any Person or Persons holding, using, or in any Manner occupying any Stall or Standing Place in the said Market, or exposing or offering for Sale or selling any Commodity, Article, Matter, or Thing in the said Market, shall neglect or refuse to pay the Sum or Toll payable in respect thereof, when demanded, then and in every such Case it shall be lawful for the said Commissioners, or the Collector, Farmer, or other Person or Persons authorized to receive such Sum or Toll, to seize and distrain the Commodity, Article, Matter, or Thing in respect of which such Sum or Toll shall be payable, or any Commodities, Articles, Matters, or Things in or upon the Stall or Standing Place in respect of which such Sum or Toll shall be payable, or any other Goods or Chattels which shall belong to the Person or Persons so neglecting or refusing, or which shall be exposed for Sale by him, her, or them in the said Market, and the Distress to be taken to sell immediately, rendering the Overplus (if any) of the Monies arising from such Sale, after deducting the Sum or Toll so payable, and the Expences of such Distress and Sale, to the Person or Persons from whom such Distress shall have been taken; and in case any Dispute or Difference shall arise touching the same, such Dispute or Difference shall and may be settled and determined by any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, who is or are hereby empowered and required to summon the Parties before him or them, and to hear and determine the Matter of every such Complaint upon Oath, and to make such Order therein, and award such Costs to either Party, as to him or them shall in his or their Discretion seem meet; and by Warrant under his or their Hand and Seal or Hands and Seals to cause the Costs which shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

Penalties on evading Tolls.

Regulations may be made for holding the said Markets.

VIII. And be it further enacted, That it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues from Time to Time to direct and appoint what particular Parts of the said Market Place shall be occupied and made use of for exposing to Sale therein of the different Commodities, Articles, Matters, or Things which shall be sold or exposed to Sale within the same respectively; and also from Time to Time to make such Rules, Orders, Regulations, and Bye Laws, (not inconsistent with or repugnant to the Directions or Provisions contained in this Act, or to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*,) as the said Commissioners shall think proper, for the better regulating, cleansing, letting, occupying, holding, and using all and every or any of the said Market Places, with such Penalties for disobeying the same, not exceeding for each and every Offence the Sum of Five Pounds, as they shall

 think

think fit; and also for fixing from Time to Time the Day or Days of the Week and the Time or Times of holding the said Market, and also the Hours at which the several Commodities, Articles, Matters, and Things to be sold in the said Market shall respectively begin to be offered or exposed to Sale therein, and how long the same shall continue exposed to Sale therein; with Liberty to the said Commissioners to change the said Days and Hours from Time to Time, at their Discretion, and to appoint different Days or Hours, if they shall think proper, for the Sale of different Commodities, Articles, Matters, and Things; and also for fixing the Time or Times when and the Manner in which every moveable Shed, Stall, Standing, and Bench, allowed to be used or set up in the said Market Place, shall be set up, used, taken down, and removed from and deposited and laid by therein; and a Copy of the said Rules, Orders, Regulations, and Bye Laws shall be from Time to Time painted on Boards in large and legible Characters, and affixed and stuck up in some conspicuous Part or Parts of each of the Market Places to be made and set up as aforesaid, and continued and renewed from Time to Time as often as the same shall be obliterated or defaced; and no Penalty shall be incurred for disobeying any such Rule, Order, Regulation, or Bye Law, until a Board containing a Copy thereof shall have been so stuck up Two Market Days; and the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall cause the Time or Times of beginning and concluding every Market to be announced by the ringing of a Bell, or otherwise, as they shall think proper.

Penalty on Persons exposing Articles to Sale except in the Market Places.

IX. And be it further enacted, That if any Person shall on any Market Day, or on any other Day, sell or expose to Sale at any Time within the Precincts of the Crown Estate called the *Regent's Park* Estate, (except in the said Market Places and as herein-after mentioned,) any Commodities, Article, Matter, or Thing in respect of which, if sold in the said Market hereby established, a Toll would be payable under the Provisions of this Act, every Person so offending shall for every such Offence, on Conviction before any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned, and that without Prejudice to any other Penalty, Action, or Suit to which such Person may be liable under any other Statute or Law: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent any Person from selling or exposing to Sale any Commodities, Articles, Matters, or Things whatsoever in his or her own private Dwelling House, or in any Shop, Part of such Dwelling House, nor to subject, charge, or make liable any Person whomsoever selling or exposing to Sale in the said Market or its Neighbourhood any Butter, Eggs, or Poultry, in any Hand Basket or Baskets, to any Payment for or in respect of the same by way of Toll, or of Pickage or Stallage, or otherwise howsoever.

Appointment of Officers.

X. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, and they are hereby required, from Time

to Time, to appoint a Clerk of the Market, and a Collector or Collectors of the Tolls and other Payments hereby authorized to be taken, (unless during such Time as the said Tolls and Payments shall be leased under the Power herein-after contained,) and also to appoint and employ Inspectors of Meat, Fish, and other Provisions, and such other Person or Persons as may be necessary for the Purposes of this Act; and from Time to Time to remove any such Clerk of the Market, Collector, or Inspector, or other Person or Persons so to be appointed; and out of the Monies to arise under or by virtue of this Act to make such Allowances to such Person or Persons respectively as the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues shall judge a reasonable Compensation for their respective Trouble and Services.

Power to erect and appoint public Weighing House, &c.

XI. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues to erect and appoint One or more House or Place, or Houses or Places, in or near the said Market Places or any of them, as they shall from Time to Time think proper, for publicly weighing and measuring such Articles, Matters, and Things sold or exposed for Sale in the said Market, as shall be bought and sold by Weight or Measure; and the said Commissioners shall and they are hereby required to have and keep proper and sufficient Weights, Scales, and Measures, (according to the respective Standard Weights and Measures in the Exchequer at *Westminster*, established by Two several Acts, the one passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, and the other passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures, and to amend the said Act*, at such House or Place, Houses or Places, and to appoint some proper Person or Persons to attend the same on every Market Day at such Time or Times as in the Rules, Orders, or Bye Laws to be made by virtue of this Act shall from Time to Time be directed; and every Person selling any Commodity, Article, Matter, or Thing, by Weight or Measure, in the said Market, shall weigh or measure the same in or by the said Weights, Measures, or Scales, if required so to do by the Buyer or Buyers thereof; and in order to defray the Expences of providing the said Weights, Scales, and Measures as aforesaid, and a proper Person or Persons to attend the same as aforesaid, there shall be paid by the Person requiring any Commodity, Article, Matter, or Thing to be weighed or measured by the same, the Sum or Sums of Money mentioned in respect thereof in the Second Schedule to this Act annexed.

5 G. 4. c. 74.

6 G. 4. c. 12.

Penalty on Sellers refusing to weigh, &c. and on Buyers refusing to pay Tolls for weighing, &c.

XII. And be it further enacted, That if any Seller of any Commodity, Article, Matter, or Thing which shall be sold by Weight or Measure in the said Market, shall refuse or neglect to weigh or measure the same by and with the public Scales, Weights, and Measures as aforesaid, upon being required so to do by the Buyer or Buyers thereof, or if the Buyer or Buyers of any Meat, Fish, or other

Provisions which shall be so weighed or measured as aforesaid shall refuse or neglect to pay the Tolls for the same respectively, at the Rate mentioned in the Second Schedule to this Act annexed, the Person or Persons in either Case so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect any Sum not exceeding Ten Shillings; and the said Tolls, Sums of Money, and Penalties shall and may be recovered in like Manner as herein-before directed concerning the Recovery of Tolls to be paid in respect of the said Market.

For preventing Nuisances in the Market.

XIII. And be it further enacted, That if any Person shall kill, slaughter, singe, scald, or dress, or cause to be killed, slaughtered, singed, scalded, or dressed, any Beast, Swine, Calf, Sheep, or other Cattle, in any Stall, Standing, or other Place in any of the said Market Places, or shall wilfully, carelessly, or negligently injure, deface, or spoil the Stalls or Standings therein, or the Roofs, Walls, Columns, Steps, or Pavements belonging thereto respectively, or any of them or any Part thereof; or if any Person shall do or commit or cause any other kind of Damage, Injury, Spoil, Obstruction, Annoyance, or Nuisance in any of the said Market Places or any Part thereof, or upon any of the Stalls, Standings, Erections, or Buildings therein; every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds, and shall, over and above such Penalty, pay such Sum or Sums of Money as any Justice or Justices for the said County of *Middlesex*, before whom the Complaint of any such Act or Offence shall be heard, shall think reasonable, by way of Satisfaction for the Damage done or occasioned thereby.

Inspectors to destroy unwholesome Meat, &c.

XIV. And be it further enacted, That if any Person shall sell or expose to Sale in the aforesaid Market any Meat, Fish, or other Provisions which shall be of an unwholesome Nature, or in a State improper for Human Food, it shall be lawful for the Persons to be from Time to Time appointed, by the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, Inspectors of Meat, Fish, and other Provisions, and each and every of them, without any other Authority than this Act, to seize and destroy or cause to be seized and destroyed such Meat, Fish, and other unwholesome Provisions as aforesaid; and every Person selling or exposing to Sale any such Meat, Fish, or other Provisions as aforesaid, shall, in addition to the Forfeiture thereof, for every Offence, upon Conviction before One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, forfeit and pay any Sum not exceeding Five Pounds; and in case any Offender shall not have sufficient Goods and Chattels to answer and satisfy the said Penalty, and the Charges and Expences attending the Recovery thereof, the Justice or Justices before whom he or she shall be convicted shall and may commit the Offender to the House of Correction for the said County of *Middlesex* for any Period not exceeding Thirty Days, there to be kept to hard Labour, without Bail or Mainprize, unless the Penalty, and all Costs, Charges, and Expences, shall in the meantime be paid and satisfied.

Justices to grant Warrants to

XV. And be it further enacted, That it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said County

search for and seize unwholesome Provisions.

County of *Middlesex*, and he and they is and are hereby authorized and required, upon Information exhibited to him or them upon Oath that any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper for Human Food, is or are concealed or suspected to be concealed for Sale in the said Market hereby established, or in any Dwelling House, Shop, or other Place within the Distance of One hundred Yards from the said Market, to issue his or their Warrant or Warrants to the Inspectors aforesaid, or any One or more of them, to search the said Market, or such Dwelling House, Shop, or other Place, and any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper for Human Food, then and there found, to seize and convey before such Justice or Justices, who, upon Proof of the unwholesome Nature thereof, or of the same being improper for Human Food, either by One credible Witness or upon his or their own Inspection, may order the same to be destroyed; and it shall be lawful for the said Justice or Justices to summon the Person or Persons in whose Custody the same unwholesome Meat, Fish, or other Provisions shall have been found, to appear before him or them, and upon the Appearance of such Person or Persons, or in case he, she, or they shall not appear, then upon due Proof of the Service of the Summons, either personally or by leaving the same at his, her, or their last or usual Place or Places of Abode, to adjudge the said Person or Persons to have incurred the Penalty hereby imposed on the Sale or exposing for Sale of unwholesome or improper Meat, Fish, or Provisions.

No Goods to be sold by Auction in the Streets.

XVI. And be it further enacted, That if any Person or Persons shall sell or offer or expose for Sale, or cause to be sold or offered or exposed for Sale, by Auction or Outcry, any Cattle, Goods, Wares, Merchandize, Chattels, Articles, or Things whatsoever in the public Streets within the Distance of One hundred Yards from the said Market hereby established, every Person so offending shall, beyond any other Penalty, Forfeiture, or Punishment to which he or she may be liable, forfeit and pay for every such Offence, on Conviction before any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned.

Commissioners of Woods and Forests may cause the Sale of any particular Things in the said Market to be discontinued.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, at any Time or Times hereafter, to order and direct that any of the Commodities, Articles, Matters, and Things which are herein-before specified, or which may at any Time hereafter be appointed or allowed by the said Commissioners to be sold in the said Market, shall cease to be any longer sold in the said Market; and in case and so often as any such Order or Direction shall be made, the said Commissioners shall cause a Board to be stuck up in some conspicuous Place within the Limits of the said Market, notifying the Day on which such Order and Direction shall take effect; and from the Day so notified the said Market hereby established shall cease to be a Market for the Sale of the Commodities, Articles, Matters, or Things specified in that Behalf in such Notice, until the Order or Direction to be so made shall at any Time thereafter

after be rescinded in whole or in part by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues: Provided always, that no Person shall incur any Penalty for the selling or exposing or offering for Sale in the said Market any Commodity, Article, Matter, or Thing to which any such Order or Direction shall relate, unless Notice of such Order or Direction shall have been stuck up in manner aforesaid at least Two clear Market Days before the Day on which such Sale or Exposure or Offer for Sale shall take place.

Penalty on exposing for Sale Articles which are not authorized, or at other Times than those appointed.

XVIII. And be it further enacted, That if any Person shall sell or offer or expose for Sale in the said Market hereby established any Commodity, Article, Matter, or Thing which he or she shall not be for the Time being authorized to sell or offer or expose for Sale therein under the Provisions of this Act, or shall sell or offer or expose for Sale in the said Market any Commodity, Article, Matter, or Thing at any other Time than that appointed by the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues for the Sale thereof, every Person so offending shall, on Conviction before any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Powers of 36 G. 3. c. 88. extended to the Market established by this Act.

XIX. And be it further enacted, That all the Powers, Provisions, and Penalties of an Act passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to regulate the buying and selling of Hay and Straw, and for repealing so much of Two Acts made in the Second Year of the Reign of King* William *and Queen* Mary, *and in the Thirty-first Year of the Reign of King* George *the Second, as relate to the buying and selling of Hay and Straw within the Limits therein mentioned*, shall extend to the Market hereby established, and to all Sales therein, as fully and effectually as if the said Market had been established before the passing of that Act.

Power to lease Market Places, Tolls, &c.

XX. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, at any Time or Times, or from Time to Time, to demise and lease, and enter into any Contract or Agreement for the demising or leasing, the said Market Places or any of them, and the Stalls, Standing Places, or other Conveniences thereto, and the Rents, Tolls, Stallage Duties, and other Sum or Sums of Money to be collected or to arise from or in respect of the said Market, or any of them, by virtue of this Act, to any Person or Persons who shall be willing to take and farm the same respectively, by public Auction or private Contract, for such Terms, Estates, and Interests, at such Rent or Rents, and for such Fine or Fines, and under and subject to such Covenants, Clauses, Conditions, and Restrictions, as Market Places, Stalls, Standings, and Conveniences thereto, and the Rents, Tolls, Stallage Duties, and other Sum or Sums of Money to be collected or to arise therefrom, may or might now be demised or leased by the said Commissioners under or by virtue of an Act passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act to consolidate and amend the Laws relating to the* 10 G. 4. c. 50.

Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer in England; *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney.

Remedy in case of Non-payment of Rents.

XXI. And be it further enacted, That in case the said Market Places, and the Rents, Tolls, Stallage Duties, and other Sum or Sums of Money to be collected or to arise from or in respect of the said Market, or any Part thereof, by virtue of this Act, shall be demised or let to farm, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear by the Space of Fourteen Days next after any of the Days on which the same ought to be paid pursuant to the Lease or Agreement for the demising or letting thereof, then and in either of the said Cases the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, or any Person or Persons duly authorized by them, shall be at liberty to enter upon and take Possession of the said Market Places and every Part thereof, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of such Rents, Tolls, Stallage Duties, Sum and Sums of Money; and thereupon it shall be lawful for the said Commissioners, if they shall think fit, by any Notice in Writing under their Hands, or the Hands of any Two of them, to be given to such Lessee or Lessees, Farmer or Farmers, or left at his, her, or their last or usual Place or Places of Abode, forthwith, or from any Time to be named in such Notice, to vacate and determine the Lease, Contract, or Agreement for demising or letting the said Market Places, Rents, Tolls, Stallage Duties, Sum and Sums of Money to such Lessee or Lessees, Farmer or Farmers, and then and from thenceforth, or from the Time named in that Behalf in such Notice, the same Lease, Contract, or Agreement shall be utterly void to all Intents and Purposes, save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Covenants or Agreements on the Lessees Part, as if such Demise, Contract, or Agreement had never been made; and it shall be lawful for the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, in every such Case, again to demise or let to farm the said Market Places, Rents, Tolls, Stallage Duties, Sum or Sums of Money to any other Person or Persons, or to cause the said Rents, Tolls, Stallage Duties, and Sum or Sums of Money to be collected, as if such former Demise, Contract, or Agreement had not been made.

Justices may proceed by Summons.

XXII. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the

Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

For securing Offenders.

XXIII. And be it further enacted, That it shall and may be lawful for any Collector, Inspector, or other Officer appointed under the Authority of this Act, and such Person or Persons as they or any of them shall call to their or his Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said County of *Middlesex*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction.

XXIV. And be it further enacted, That for the more speedy Conviction of Offenders against this Act the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act may cause the Conviction to be drawn up in the Form or to the Effect following; (that is to say),

'BE it remembered, That on the Day of in the Year of our Lord , is convicted before me [*or* us] of His Majesty's Justices of the Peace for the County of *Middlesex*, by virtue of an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act, and specify the Offence and the Time and Place when and where the same was committed*]. Given under Hand and Seal the Day and Year first above written.'

Distress not to be unlawful for Want of Form.

XXV. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Notice, Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Fines and Penalties how to be recovered.

XXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, (the Manner of levying and Recovery whereof is not otherwise herein particularly directed,) or which shall be inflicted or imposed by any Rule, Order, or Bye Law to be made by the Commissioners of His Majesty's Woods, Forests, and Land Revenues under the Power herein-before given, shall and may, in case of Nonpayment thereof, be recovered in a summary

summary Way by the Order and Adjudication of any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, on Complaint to him or them for that Purpose exhibited, and afterwards levied, as well as the Costs of such Proceedings on Non-payment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon any Witness or Witnesses upon Oath, and to examine him, her, or them of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so to be levied or recovered, (after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same,) shall be returned, upon Demand, to the Owner or Owners of the Goods and Chattels so seized or distrained; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, and Fines can be levied if a Warrant of Distress were issued, in which Case such Justice or Justices shall not be required to issue such Warrant of Distress, then and in either of the said Cases it shall be lawful for the said Justice or Justices, or any other Justice or Justices of the Peace for the said County of *Middlesex*, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Gaol or House of Correction for the said County of *Middlesex*, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; and such Penalties and Forfeitures, when so levied, (the Application whereof is not otherwise directed,) shall be paid, one Moiety thereof to the Informer or Person suing for or recovering the same, and the other Moiety thereof to the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues.

Public Act.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

SCHE-

SCHEDULES to which the aforegoing Act refers.

SCHEDULE I.

	£	s.	d.
For every Waggon or Cart Load or Parcel of Hay which shall be brought into and stand to be sold, a Toll not exceeding -	0	3	0
For every Waggon or Cart Load or Parcel of Straw, Grass, or Vetches, a Toll not exceeding - - - -	0	0	1
For entering the Sale of every Load of Hay, Straw, Grass, or Vetches - - - - - -	0	0	1
For every yearly Stand for a Waggon or Cart, a Rent for every superficial Foot of such Stand after the Rate per Annum of not exceeding - - - - - -	0	1	0
For every Waggon or Cart which shall be placed in any casual Stand, and shall contain any Articles or Things, (Hay, Straw, Grass, or Vetches excepted,) a Toll not exceeding - -	0	0	6
If the Contents of any Waggon or Cart shall be placed or pitched on any Stand in that Part of the Market which shall be appropriated to Waggons and Carts, the same Rent or Toll shall be paid for such Contents as would have been payable for the Waggon or Cart if such Waggon or Cart had been placed on such Stand.			
If any Waggon or Cart shall be brought to and remain upon a casual Stand, or the Contents thereof shall be placed or pitched and remain upon any casual Stand in that Part of the Market which shall be appropriated to Waggons and Carts, for more than One Day, such further Toll for every other Day beyond the first Day shall be paid for every such Waggon or Cart, or the Contents thereof, as shall be equal to the Toll payable for such Waggon or Cart, or the Contents thereof, for the first Day that the same shall have been brought to or placed or pitched on such Stand.			
For every yearly Stand in that Part of the Market which shall not be appropriated to Waggons and Carts, a Rent for every superficial Foot thereof not exceeding after the Rate per Annum of - - - - - - -	0	1	8
For every casual Stand in that Part of the Market which shall not be appropriated to Waggons and Carts, for every superficial Foot thereof a Rent or Sum per Day not exceeding -	0	0	1

SCHEDULE II.

WEIGHING and MEASURING.	£	s.	d.
For every Load of Hay, Straw, or other Agricultural Produce, not exceeding the Sum of - - - - - -	0	0	6
Every Weighing of other Articles not exceeding One Hundred Weight, not exceeding - - - - - -	0	0	1
And if more than One Hundred Weight and less than Two Hundred Weight, not exceeding - - - -	0	0	2
And so in proportion for any greater Quantity.			
For every Quantity of Goods and Articles sold by Measure, for every Bushel, not exceeding - - - - -	0	0	0½

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*14

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XV.

An Act for relieving, in certain Cases, Vessels entering or sailing from the Port of *Berwick-upon-Tweed*, from the Duties leviable under Two Acts passed in the Forty-sixth and Fifty-fourth Years of His late Majesty's Reign, relating to the Northern Lighthouses. [3d *May* 1830.]

WHEREAS in and by an Act passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for erecting a Lighthouse on the* Bell *or* Cape Rock, *on the Eastern Coast of* Scotland, *and for enabling the Commissioners of the Treasury to advance a certain Sum of Money out of the Consolidated Fund of* Great Britain *towards that Purpose*, it is enacted, that from and after the said Lighthouse shall be finished and a Light put therein, it should and might be lawful to and for the said Commissioners, or for such Person or Persons as they should appoint, to demand, collect, receive, and take from all and every the Masters and Owners of every Ship or decked Vessel the Sums or Duties following; (that is to say,) from every Ship or decked Vessel of the United Kingdom of *Great Britain* and *Ireland*, navigated according to Law, which should sail to or from any Port or Place on the East Coast of *Scotland* between *Peterhead* on the North and *Berwick-upon-Tweed* on the South inclusive, and whether the said Ship or Vessel should be Outward or Homeward bound, or on a Foreign Voyage, or sailing 46G.3.c.132.

sailing Coastwise, as also from all Ships and Vessels, as above described, which shall sail within a Line drawn from *Peterhead* on the North to the said Port of *Berwick* on the South, both inclusive, a Sum of One Penny Halfpenny for every Ton; and for every Foreign Ship or decked Vessel sailing as aforesaid, a Sum not exceeding Three-pence for every Ton thereof: And whereas by another Act passed in the Fifty-fourth Year of the Reign of His said late Majesty King *George* 54G.3.c.136. the Third, intituled *An Act for enabling the Commissioners of the Northern Lighthouses to purchase the Island and Light of* May, *at the Entrance of the* Frith of Forth, *for enabling the Commissioners of the Treasury to advance a certain Sum of Money towards that Purpose, and for amending several Acts in regard to the Northern Lighthouses*, it was enacted, that from and after the passing of this Act the Duties heretofore levied in respect of the Light on the Island of *May* should cease and determine, and in lieu thereof, and to enable the said Commissioners to pay the Price of the said Light and Island of *May*, and to maintain a proper Light there, and also to erect and maintain additional Lighthouses, as before-mentioned, and otherwise to provide for the keeping in repair and maintaining the whole Lighthouses under their Charge, it should and might be lawful to the said Commissioners, or such Person or Persons as they should appoint, from and after the passing of this Act, to demand, collect, receive, and take from all and every the Masters and Owners of every Ship or decked Vessel of the United Kingdom of *Great Britain* and *Ireland*, navigated according to Law, which should sail to or from any Port or Place on the East Coast of *Scotland* between the Castle of *Dunottar* on the North and *Saint Abbe's Head* on the South, both inclusive, whether the said Ship or Vessel should be loaded or in Ballast, or Outward or Homeward bound, or on a Foreign Voyage, or sailing Coastwise, and also for every such Ship or Vessel as aforesaid which should sail within a Line drawn from the Castle of *Dunottar* on the North to *Saint Abbe's Head* on the South, both inclusive, a Sum not exceeding One Penny for every Ton of such Ship or Vessel; and for every Foreign Ship and decked Vessel sailing as aforesaid, a Sum not exceeding Two-pence for every Ton thereof; and for every Ship or decked Vessel of the United Kingdom of *Great Britain* and *Ireland*, navigated according to Law, liable in Payment of Duties to the Commissioners of Northern Lighthouses, not sailing within the aforesaid Limits, a Sum not exceeding One Halfpenny for every Ton of such Ship or Vessel; and for every Foreign Ship or decked Vessel, liable in Payment of Duties as aforesaid, not sailing within the aforesaid Limits, a Sum not exceeding One Penny for every Ton thereof: And whereas it hath been found by Experience, that Ships and other Vessels entering into and sailing or departing from the Harbour of *Berwick-upon-Tweed*, from and to the Southward, do not derive any Advantage from the said herein-before mentioned Lights, or either of them, and it is therefore just and expedient that such Ships and Vessels should be relieved from the Duties imposed by the said Acts; but such Relief cannot be granted without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

 assembled,

assembled, and by the Authority of the same, That from and after the passing of this Act no Master or Owner or Masters or Owners of any Ship or Vessel of the United Kingdom of *Great Britain* and *Ireland*, or of any Foreign Ship or Vessel, which shall enter into the said Harbour of *Berwick-upon-Tweed* from any Port or Place situate to the Southward thereof, not having in such Voyage touched at any Port or Place situated to the Northward of the said Harbour, or which shall depart from or be intended to depart from the said Harbour for any Port or Place situate to the Southward thereof, and shall not touch at any Port or Place to the Northward thereof in the Course of the then intended Voyage, shall be liable to any of the Duties or Sums of Money authorized to be levied by the Commissioners of Northern Lighthouses in virtue of the said recited Acts or either of them, but such Ships or Vessels shall be entirely exempted therefrom; any thing in the said Acts or either of them to the contrary notwithstanding.

Ships sailing Southward of Berwick Harbour relieved from the Duties imposed by the recited Acts.

II. Provided always, and be it further enacted, That nothing in this Act contained shall affect, or be deemed or construed to affect, the Masters and Owners of any Ship or decked Vessel which shall enter into or depart from the said Harbour of *Berwick*, other than those entering into or sailing or departing from the same from and to the Southward, as herein-before mentioned; but such Masters and Owners shall continue liable for and be subject to Payment of the said Duties and Sums of Money in all respects as heretofore.

This Act not to affect Ships, &c. sailing Northward of Berwick Harbour.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XVI.

An Act to repeal the Duties of Excise and Drawbacks on Leather, and the Laws relating thereto. [29th *May* 1830.]

WHEREAS by an Act passed in the Forty-third Year of the Reign of His late Majesty King *George* the Third, for repealing the Duties of Excise payable in *Great Britain*, and granting other Duties in lieu thereof, certain Duties of Excise were granted and imposed on Hides and Skins, and Parts and Pieces of Hides and Skins, and on Vellum and Parchment, in *Great Britain*: And whereas by an Act passed in the Third Year of the Reign of His present Majesty, for repealing the additional Duties and Drawbacks on Leather granted by Two Acts of His late Majesty, and for granting other Duties in lieu thereof, and for securing the Duties on Leather, certain Drawbacks were granted on Hides and Skins, and on Leather manufactured into Goods, exported to Foreign Parts: And whereas by an Act passed in the Fifth Year of the Reign of His present Majesty, for assimilating the Duties and Drawbacks on Hides, Skins, Leather, Parchment, Paper, and Paper Hangings manufactured in *Ireland*, to the Duties and Drawbacks payable on the like Articles in *Great Britain*, and for equalizing the Measures and Weights whereby the Duties of Excise and Customs should be payable throughout the United Kingdom, certain Duties of Excise were imposed and made payable on Hides and Skins, and Parts and Pieces of Hides and Skins, and on Vellum and Parchment, in *Ireland*;

and certain Drawbacks were granted on Hides and Skins, and on Leather manufactured into Goods, exported to Foreign Parts: And whereas by an Act passed in the Sixth Year of His present Majesty's Reign, for repealing the several Duties payable on Excise Licences in *Great Britain* and *Ireland*, and for imposing other Duties in lieu thereof, and for amending the Laws for granting Excise Licences, certain Duties of Excise were imposed on Licences required to be taken out by every Tawer, Dresser of Hides and Skins in Oil, every Currier, and every Maker of Vellum or Parchment: And whereas it is expedient that all Duties payable upon or for or in respect of Hides and Skins, and Pieces of Hides and Skins, tanned, tawed, or dressed in Oil, and on Vellum and Parchment made, in any Part of the United Kingdom, and upon Licences for exercising the Trades of Tanner, Tawer, Currier, or Dresser of Hides and Skins in Oil, and all Drawbacks payable on the Exportation to Foreign Parts of Leather, manufactured or unmanufactured, and all Laws, Provisions, and Regulations relating thereto, should cease and determine; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and thirty, the several Duties of Excise payable by Law for or upon Hides and Skins, and Pieces and Parts of Hides and Skins, tanned, tawed, or dressed in Oil, and on Vellum and Parchment made, in any Part of the United Kingdom, and all Duties upon Licences for exercising the Trades of Tanner, Tawer, Currier, or Dresser of Hides and Skins in Oil, and all Drawbacks for or in respect of the Exportation of any Hides or Skins, or Leather, unmanufactured, or manufactured into Goods, Wares, or Merchandize, shall cease and determine and be no longer paid or payable; and that all Enactments, Provisions, Regulations, and Restrictions in any Act or Acts in force immediately before the passing of this Act, relating to any such Duties, or such Licences, or such Drawbacks, from and after the said Fifth Day of *July* One thousand eight hundred and thirty, shall be and the same are hereby wholly repealed, and shall then cease and determine, save and except as to the Payment and Recovery of any Arrear of the said Duties, or of any Penalty or Forfeiture in respect thereof, which shall have been incurred before the said Fifth Day of *July* One thousand eight hundred and thirty.

Repeal of all Duties and Restrictions on the Manufacture of Leather.

II. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or construed to continue in force so much of an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, for repealing an Act passed in the First Year of King *James* the First, intituled *An Act concerning Tanners, Curriers, Shoemakers, and other Artificers occupying the cutting of Leather*, and also for repealing and amending certain Parts of several other Acts of Parliament relating thereto, as prohibits any Person or Persons using the Trade or Business of tanning of Leather, during the Time that he, she, or they shall so use or carry on the said Trade or Business of tanning, from using, occupying, or in any Manner carrying on the Trade or Business of a Shoemaker, Currier,

Nothing in this Act shall be deemed to continue so much of 48 G. 3. c. 60. as prohibits Tanners from carrying on the Business of a Shoemaker, Currier, &c.

Leather Cutter, or other Artificer exercising the cutting or working of Leather, or to revive the said Act of King *James* the First, or any other Act or Acts relating to the damaging of Hides in the flaying thereof, or to revive or continue any other Provision, Restriction, or Regulation in any way relating to the flaying of Raw Hides, or the tanning or working of Hides or Skins, or Manufacture of Leather, Parchment, or Vellum, or to repeal any Act, or any Part or Provision contained in any of the said Acts hereby repealed, repealing any former Act.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XVII.

An Act to alter and amend an Act of the Seventh and Eighth Years of His present Majesty, for consolidating and amending the Laws of Excise on Malt made in the United Kingdom, and for amending the Laws relating to Brewers in *Ireland*, and the Malt Allowance on Spirits in *Scotland* and *Ireland*. [29th *May* 1830.]

WHEREAS an Act was passed in the Seventh and Eighth Years of His Majesty's Reign, intituled *An Act to consolidate and amend certain Laws relating to the Revenue of Excise on Malt made in the United Kingdom; and for amending the Laws relating to Brewers in* Ireland, *and to the Allowance in respect of the Malt Duty on Spirits made in* Scotland *and* Ireland *from Malt only*: And whereas it is expedient to alter and amend the said Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Maltster or Maker of Malt, who shall have made or who shall make Entry in manner by the said recited Act required of any Room or Place for the keeping of Malt therein, or for the keeping of Corn or Grain to be

7 & 8 G. 4. c. 52.

One Room may be used for keeping Malt and for keeping

Grain, if separated by a Partition.

be made into Malt, to make use of any such Room or Place so entered for keeping Malt, and to store and keep therein Corn or Grain to be made into Malt, and to make use of such Room or Place which shall be so entered for keeping Corn or Grain, and to keep and store therein Malt or any other Corn, Grain, or Seeds; any thing in the said Act to the contrary notwithstanding: Provided always, that all Malt, Corn, Grain, and Seeds be kept separate and apart, so as to prevent the mixing of any such Corn, Barley, or other Grain or Seeds with Malt; provided also, that nothing herein contained shall extend to authorize or allow any Distiller or Maltster in *Scotland* or *Ireland*, who shall have made or who shall make Entry as a Maker of Malt for the sole Purpose of being consumed in distilling Low Wines or Spirits from Malt only, to keep any Corn or Grain in any Room or Place entered for keeping, depositing, or storing Malt, or to keep or deposit any Malt in any Room or Place entered for storing Corn or Grain.

Raw Grain may be dried on the Kiln.

II. And be it further enacted, That it shall and may be lawful for any Maltster or Maker of Malt, (except a Maltster or Maker of Malt in *Scotland* or *Ireland* making Malt to be consumed in distilling Low Wines and Spirits from Malt only,) on giving Twenty-four Hours Notice in Writing, if the Malthouse and Premises of such Maltster or Maker of Malt shall be situated in a City or Market Town or the Suburbs thereof, and if situated elsewhere, Forty-eight Hours Notice in Writing, to the Officer of Excise, of his or her Intention so to do, to use any Kiln entered for making and drying Malt, for drying and to dry thereon Barley or any Corn or Grain not making into Malt; any thing in the said recited Act contained to the contrary notwithstanding.

Cisterns and Couch Frames may be used, although not constructed in manner directed by the Act.

III. And be it further enacted, That it shall be lawful for any Maltster or Maker of Malt, with the Approbation of the Commissioners of Excise, and under such Regulations as the said Commissioners shall order and direct, to make use of any Cistern which shall have been made and constructed and in use before the passing of the said recited Act, notwithstanding such Cistern shall not have a clear open Space of Forty-eight Inches at the least above every Part of such Cistern, so that there be sufficient Head-room and Light and Means to enable the Officers of Excise safely and conveniently to have Access to and to gauge the Corn and Grain contained in every Part of such Cistern; and the Certificate in and by the said Act required shall, with such Approbation as aforesaid, be granted for the Use of such Cistern, and for any Maltster or Maker of Malt, under such Approbation and Regulations as aforesaid, to make use of any Couch Frame made and constructed before the passing of the said recited Act, notwithstanding such Couch Frame shall not have Three Sides thereof permanently made or constructed, provided that the moveable Sides of such Couch shall be made with Boards or Planks of the Substance of Two Inches in Thickness at the least, and supported on the Outside in every Part thereof, so that the Frame retain the same Dimensions in every Part when filled with Grain as when empty.

IV. And

Officer of Excise to give a Copy of his Charge, if demanded at any Time by the Maltster.

IV. And be it further enacted, That every Officer of the Excise who shall take an Account of and charge the Duty of Excise on any Corn or Grain making into Malt at the Malthouse or Premises of any Maltster or Maker of Malt, and make a Return thereof to the Commissioners of Excise, under the Powers and Directions of the said recited Act, shall in all Cases when the Minutes of the Entries made by him in taking such Account shall not appear on the Book or Paper called the Specimen Paper, left at the Premises of the Maltster or Maker of Malt, give a true Copy of such Charge in Writing under his Hand to the Maltster whose Corn or Grain making into Malt shall be so charged, if such Copy shall be demanded in Writing by or on behalf of such Maltster or Maker of Malt, notwithstanding such Demand may not be made at the Time of taking such Account.

Regulations relating to keeping a Barley Book, and making Entries therein, repealed.

V. And be it further enacted, That so much of the said recited Act as directs, that there shall be delivered by the proper Officer of Excise to every Maltster or Maker of Malt a Book prepared for such Purposes as therein-after mentioned, called a Barley Book, to be kept in some public and open Part of his or her entered Premises, for the Inspection of the Officers of Excise, together with so much and all such Parts of the said recited Act, and all Clauses, Provisions, Regulations, and Enactments in the said Act contained, which direct or require Entries of Barley received, wetted, or sent out by any Maltster or Maker of Malt, or any other Entries, to be made in such Book, or which direct or require any Maltster or Maker of Malt to deliver to the Officer or Officers of Excise any Account or Accounts of his or her Stock of Barley, or to level or place the Barley in the Custody or Possession of any Maltster or Maker of Malt in such Form as may enable the Officers of Excise to gauge and ascertain the Quantity thereof, and which direct, authorize, or require any Officer of Excise to take an Account of the Barley in the Stock, Custody, or Possession of any Maltster or Maker of Malt, and all Penalties and Forfeitures in and by the said Act imposed, for any Breach or Neglect of any of the said Clauses, Provisions, Regulations, or Enactments, or for any Excess or Deficiency in any Quantity of Barley in the Stock, Custody, or Possession of any Maltster or Maker of Malt, shall be and the same is and are hereby repealed.

Provision for Notice of wetting Corn or Grain, repealed.

VI. And be it further enacted, That so much of the said recited Act as enacts, that every Maltster or Maker of Malt, before beginning to wet or steep any Corn or Grain to be made into Malt, shall give to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, Twenty-four Hours Notice at least in Writing, if the Malthouse of such Maltster or Maker of Malt shall be situated in any City, or in the Suburbs of any City, or in any Market Town, and Forty-eight Hours Notice at least in Writing, if such Malthouse shall not be so situated, of the Day and particular Hour of the Day when such Maltster or Maker of Malt intends to wet or steep Corn or Grain to be made into Malt, and of the Quantity of Corn or Grain in Bushels to be then wet or steeped; and if any Maltster or Maker of Malt shall begin to wet or steep any Corn or Grain to be made into Malt, without giving such Notice as aforesaid,

or

or shall wet or steep any greater or less Quantity of Corn or Grain (exceeding the Proportion of One in Twenty) than the Quantity of Corn or Grain expressed in such Notice, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and in case any Maltster or Maker of Malt shall not, pursuant to any such Notice as aforesaid, begin to wet or steep the Corn or Grain mentioned in such Notice, and cover the whole thereof with Water, at the Day and Hour mentioned in such Notice, or within Three Hours next after the Expiration of such Hour, every such Notice shall be and is hereby declared to be null and void; and every such Maltster or Maker of Malt, before he shall begin to wet or steep such Corn or Grain, shall give fresh Notice thereof according to the Provisions of this Act, under pain of such Penalty as last aforesaid: Provided always, that no Maltster or Maker of Malt shall be subject to the said last-mentioned Penalty for or by reason of his or her wetting or steeping any less Quantity of Corn or Grain than the Quantity of Corn or Grain expressed in such Notice as aforesaid, if such Maltster or Maker of Malt shall be prevented from wetting or steeping the Quantity of Corn or Grain expressed in such Notice by want of Barley, and shall give Notice thereof to the proper Officer of Excise, by entering, with such Wetting or Steeping, in the Barley Book, the Cause and Extent of such Prevention as aforesaid: Provided also, that no Maltster or Maker of Malt shall be subject to the said last-mentioned Penalty for or by reason of his or her wetting or steeping any greater or less Quantity of Corn or Grain exceeding the Proportion aforesaid than the Quantity of Corn or Grain expressed in such Notice as aforesaid, if such Maltster or Maker of Malt shall show to the Satisfaction of the Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* and *Ireland* respectively, that the same occurred by Accident or Oversight, and without intentional Disregard of any of the Provisions of this Act in that Behalf contained, shall be and the same is hereby repealed.

24 Hours Notice to be given of wetting Corn at a Malthouse situated in a City or Market Town, and 48 Hours Notice elsewhere.

VII. And be it further enacted, That every Maltster or Maker of Malt, before beginning to wet or steep any Corn or Grain to be made into Malt, shall give to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, Twenty-four Hours Notice at least in Writing, if the Malthouse of such Maltster or Maker of Malt shall be situated in any City, or any Market Town, or in the Suburbs thereof, and if such Malthouse shall not be so situated, Forty-eight Hours Notice at least in Writing of the Day and particular Hour of the Day when such Maltster or Maker of Malt intends to wet or steep Corn or Grain to be made into Malt; and if any Maltster or Maker of Malt shall begin to wet or steep any Corn or Grain to be made into Malt without giving such Notice as aforesaid, or shall wet or steep any Corn or Grain to be made into Malt before the particular Hour specified in such Notice, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and in case any Maltster or Maker of Malt shall not, pursuant to any such Notice as aforesaid, begin to wet or steep the Corn or Grain mentioned in such Notice, and cover the whole thereof with Water, at the Day and Hour mentioned

mentioned in such Notice, or before the Expiration of Three Hours from the Hour mentioned in such Notice, every such Notice shall be and is hereby declared to be null and void.

A Book to be delivered to every Maltster, in which the Quantity of Corn wetted is to be entered.

VIII. And be it further enacted, That there shall be delivered by the proper Officer of Excise, to every Maltster or Maker of Malt, a Book prepared for such Purposes as herein-after mentioned, to be kept by such Maltster or Maker of Malt in some public and open Part of his or her entered Premises, for the Inspection of the Officers of Excise; and every Maltster and Maker of Malt shall, on the same Day on which he shall steep any Corn or Grain to be made into Malt, and within Three Hours after any Corn or Grain shall have been covered with Water for the Purpose of wetting or steeping the same to be made into Malt, enter in such Book, and in the proper Columns, to be prepared for such Purposes respectively, a true and particular Account of the Quantity in Bushels of the Corn or Grain so wetted or steeped, and shall enter against and immediately opposite to every such Entry the particular Day and Hour of the Day on and at which such Corn or Grain was so wetted or steeped and covered with Water, and shall on the next Survey of the Officer of Excise produce to such Officer the said Book, with the said Entries therein, for his Information; and if any Maltster or Maker of Malt shall not keep such Book, or shall neglect or refuse to make any such Entry as aforesaid, or to produce such Book with such Entries therein to the Officer of Excise on his next Survey, or shall convey away or conceal the same, or shall destroy or tear out any Leaf thereof, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, or shall refuse to permit any Officer of Excise at any Time to inspect such Book, or to make any Minute therein, or to take any Extract therefrom, as to such Officer shall seem meet, or to remove or take away such Book, leaving a new Book for the like Purpose in lieu thereof, or if any Maltster or Maker of Malt shall have wetted or steeped any greater or less Quantity of Corn or Grain than shall be stated in the Entry thereof in the said Book, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds; provided that no Maltster or Maker of Malt shall be subject to the said Penalty for or by reason of his having steeped or wetted any greater or less Quantity of Corn or Grain than shall be stated in the Entry thereof, if the Quantity wetted shall not be greater or less than the Quantity entered in the Proportion of One Bushel in Twenty.

Provision that Maltsters giving Notice to steep for 65 Hours shall begin to wet between 8 in the Evening and 11 at Night, repealed.

IX. And be it further enacted, That so much of the said recited Act as enacts, that it shall be lawful for any Maltster or Maker of Malt, who shall give such further Notice of his or her Intention to continue the Corn or Grain by him or her to be wet or steeped covered with Water for the Space of Sixty-five Hours, as hereafter mentioned, to begin to wet or steep such Corn or Grain to be made into Malt at any Time between the Hours of Eight of the Clock in the Evening and Eleven of the Clock at Night; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall begin to wet or steep any such Corn or Grain as

aforesaid, to be made into Malt, at any other Time than as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

Provision that Corn shall be kept in the Cistern not exceeding 55 nor less than 40 Hours, repealed.

X. And be it further enacted, That so much of the said recited Act as enacts, that every Maltster or Maker of Malt shall continue the Corn or Grain by him or her wet or steeped in the Cistern to be made into Malt covered with Water for a Space of Time not exceeding Fifty-five and not less than Forty Hours from the Time of such Corn or Grain being first wet or steeped, and if any Maltster or Maker of Malt shall continue such Corn or Grain, or any Part thereof, covered with Water for any Space of Time exceeding Fifty-five Hours, or shall drain or draw off the Water from any such Corn or Grain before the Expiration of Forty Hours from the Time of such Corn or Grain being first wet or steeped, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

Provision that Maltsters having given Notice to steep for 65 Hours shall keep Grain in steep for that Time, repealed.

XI. And be it further enacted, That so much of the said recited Act as enacts, that where any Maltster or Maker of Malt shall intend to continue the Corn or Grain to be wet or steeped covered with Water for the Space of Sixty-five Hours, every such Maltster or Maker of Malt shall, in the Notice in Writing by him or her required to be given to the Officer of Excise under whose Survey such Maltster or Maker of Malt shall then be, of the Day and particular Hour of the Day when such Maltster or Maker of Malt shall intend to wet or steep Corn or Grain to be made into Malt, and of the Quantity of Corn or Grain in Bushels to be then wet or steeped, give further Notice that it is his or her Intention to continue the same covered with Water for the Space of Sixty-five Hours from the Time of such Corn or Grain being first wet or steeped; and every such Maltster or Maker of Malt shall in such Case continue such Corn or Grain covered with Water for and until the Expiration of Sixty-five Hours as aforesaid; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall not continue such Corn or Grain covered with Water for and until the Expiration of Sixty-five Hours as aforesaid, or shall continue the same covered with Water for any Time after the Expiration of Sixty-five Hours as aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

So much of Act as allows Water to be once drained, repealed.

XII. And be it further enacted, That so much of the said recited Act as provides and enacts, that it shall be lawful for any Maltster or Maker of Malt, between the First Day of *March* and the First Day of *November* in every Year, to drain or draw off the Water once from any Corn or Grain by him or her wet or steeped in the Cistern to be made into Malt, before the Expiration of the Time for which Corn or Grain is by this Act required to be kept covered with Water, without incurring any Penalty for so doing,

provided

provided such Maltster or Maker of Malt shall, in the Notice by him or her given of his or her Intention to wet or steep such Corn or Grain to be made into Malt by this Act before required, express his or her Intention to drain or draw off the Water from such Corn or Grain as aforesaid, and the particular Day and Hour of the Day, between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon, when such Maltster or Maker of Malt shall intend so to do; provided always, that such Corn or Grain be again completely covered with Water before the Expiration of One Hour from the Time of the Water being begun to be drained or drawn off as aforesaid; any thing herein-before contained to the contrary thereof notwithstanding, shall be and the same is hereby repealed.

Maltster to keep the Grain in the Cistern covered with Water for at least 40 Hours.

XIII. And be it further enacted, That every Maltster or Maker of Malt shall continue the Corn or Grain by him or her wet or steeped in the Cistern, to be made into Malt, covered with Water for a Space of Time not less than Forty Hours from the Time of such Corn or Grain being first wet or steeped; and if any Maltster or Maker of Malt shall drain or draw off the Water from any such Corn or Grain before the Expiration of Forty Hours from the Time of such Corn or Grain being first wet or steeped, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Water may be once drained during the steeping, on due Notice having been given, provided the Corn be again covered within an Hour.

XIV. Provided always, and be it further enacted, That it shall be lawful for any Maltster or Maker of Malt to draw off the Water from any Corn or Grain by him or her wet or steeped in the Cistern, to be made into Malt, once during the Time such Corn or Grain shall be continued in steep, although the same shall not then have been covered with Water for the Space of Forty Hours, without any Penalty being incurred for so doing, provided such Maltster or Maker of Malt shall, in the Notice by him or her given of his or her Intention to wet or steep Corn or Grain to be made into Malt, by this Act required, express his or her Intention to drain or draw off the Water from such Corn or Grain as aforesaid, and the particular Day and Hour of the Day between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon, when such Maltster or Maker of Malt shall intend so to do; provided always, that such Corn or Grain be again completely covered with Water before the Expiration of One Hour from the Time of the Water being begun to be drained or drawn off as aforesaid; any thing in the said recited Act or this Act to the contrary notwithstanding.

Provision that Maltsters, having given Notice to steep for 65 Hours, shall empty their Cistern only between One in the Forenoon

XV. And be it further enacted, That so much of the said recited Act as enacts, that it shall not be lawful for any Maltster or Maker of Malt, who shall have given such further Notice of his or her Intention to continue the Corn or Grain by him or her wet or steeped, covered with Water for the Space of Sixty-five Hours, as before mentioned, to empty or take such Corn or Grain, or any Part thereof, from or out of the Cistern, at any other Time than between the Hours of One of the Clock in the Forenoon and Four of the Clock

and Four in the Afternoon, repealed.

Clock in the Afternoon; and if any Maltster or Maker of Malt, who shall have given such further Notice as aforesaid, shall empty or take such Corn or Grain as aforesaid, or any Part thereof, from or out of the Cistern at any other Time than aforesaid, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

Corn may be emptied from the Couch Frame at the Expiration of 26 Hours, but to be deemed in Couch for 30 Hours.

XVI. And be it further enacted, That no Maltster or Maker of Malt shall be liable to any Penalty or Forfeiture by the said recited Act imposed, for or by reason of any Corn or Grain not being at any Time of the Year kept and continued laid in the Couch Frame or Frames into which such Corn or Grain shall have been emptied for the Space of Thirty Hours or any longer Period than Twenty-six Hours from the Time of its being emptied from or out of the Cistern or Cisterns in which the same shall have been wetted or steeped, but all such Corn or Grain shall nevertheless in all Cases where the same shall not have been gauged and taken Account of by the proper Officer of Excise within Twenty-six Hours from the Time of such Corn or Grain being emptied out of the Cistern or Cisterns, and whilst the same was kept in the Couch Frame, at all Times of the Year, be taken and deemed to be in Couch, and shall be gauged and taken Account of by the Officer of Excise as in Couch for the Space of Thirty Hours from the Time of its being emptied from or out of the Cistern or Cisterns, whether such Corn or Grain shall be continued in the Couch Frame or Frames into which the same shall have been emptied, or shall be removed after the Expiration of the said Twenty-six Hours and before the Expiration of Thirty Hours, from such Couch Frame or Frames, to the Floor.

When any Increase shall be found on turning out any Grain from the Couch, such Increase not to be deemed conclusive of treading, unless it shall amount to Six Bushels and One Quarter in every 100 Bushels.

XVII. And whereas in and by the said recited Act it is lawful for any Officer of Excise who shall have Reason to believe or who shall suspect that the Corn or Grain making into Malt in any Cistern or Couch Frame has been trodden or forced together, and for any Person or Persons in aid and assistance of such Officer, in the Presence of such Maltster or Maker of Malt or of his Servant, if such Maltster or Servant shall think fit to be present, to turn over all such Corn or Grain, either by throwing all such Corn or Grain from and out of the Cistern or Couch Frame, and returning the same into the Cistern or Couch Frame from which it shall have been thrown, and laying the same level again therein, or by turning over all such Corn or Grain in such Cistern or Couch Frame, and laying the same level again therein, or by throwing out any Part of such Corn or Grain from such Cistern or Couch Frame, and turning over so much thereof as shall be left remaining therein, and returning so much of such Corn or Grain as shall have been thrown out into the Cistern or Couch Frame from which the same shall have been thrown, and laying the whole of such Corn or Grain level again in such Cistern or Couch Frame, as to such Officer shall seem fit; and if any Increase shall be found in the Gauge or Quantity of such Corn or Grain after being turned over and laid level again in the Cistern or Couch Frame in any such Manner as aforesaid, over and above the former Gauge in any greater Proportion than that of One Bushel in every

every Twenty Bushels of such Corn or Grain, the Increase so found is in and by the said recited Act to be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together: And whereas it may happen that when Corn or Grain has been emptied from the Cistern into the Couch Frame more than Twelve Hours the Increase thereof from the Swell may amount to One Bushel in Twenty without Fraud; and it is expedient to alter such Proportion, so far as respects such Corn or Grain in the Couch Frame; be it therefore enacted, That when any Officer of Excise shall in manner authorized by the said recited Act turn over and level again in any Couch Frame any Corn or Grain after the Expiration of Twelve Hours from the Time when such Corn or Grain shall have been emptied from the Cistern or Cisterns into such Couch Frame, and any Increase shall be found in the Gauge or Quantity of such Corn or Grain after being turned over and laid level again in the Couch Frame in any such Manner as aforesaid, over and above the former Gauge, no such Increase shall be deemed conclusive Evidence that such Corn or Grain had been trodden or forced together, unless such Increase shall be in any greater Proportion than Six Bushels and One Quarter of a Bushel in every One hundred Bushels of such Corn or Grain.

Grain which has been steeped 50 Hours, if there be no other Grain in the House which has been steeped for any less Time, may be sprinkled.

XVIII. And whereas in and by the recited Act every Maltster and Maker of Malt is restricted from wetting, watering, or sprinkling any Corn or Grain making into Malt, before the Expiration of Twelve Days or Two hundred and eighty-eight Hours after the same shall have been emptied or taken from or out of the Cistern: And whereas it is expedient to allow, under certain Regulations, Maltsters and Makers of Malt to water and sprinkle Corn or Grain making into Malt, before the Expiration of Twelve Days or Two hundred and eighty-eight Hours; be it therefore enacted, That it shall and may be lawful for any Maltster or Maker of Malt who shall have kept and continued any Corn or Grain making into Malt covered with Water in the Cistern for the full Space of Fifty Hours from the Time of such Corn or Grain being first wetted or steeped, and who shall not at the same Time have in the same Malthouse any other Corn or Grain on the Floor which shall been kept and covered with Water for any less Space than Fifty Hours from the Time of the same being first wet or steeped, to wet, water, or sprinkle any such Corn or Grain at any Time after the Expiration of Eight Days or One hundred and ninety-two Hours after the same shall have been emptied or taken out of the Cistern: Provided always, that every Maltster or Maker of Malt who shall wet, water, or sprinkle any Corn or Grain making into Malt contrary to the Regulations aforesaid shall be subject and liable to the Penalty in and by the said recited Act imposed for wetting, watering, or sprinkling Corn or Grain before the Expiration of Twelve Days or Two hundred and eighty-eight Hours.

No Penalty for the outward Edges of the Floor not being in

XIX. And be it further enacted, That nothing in the said Act contained shall extend or be construed to extend to render liable any Maltster or Maker of Malt to any Penalty by the said Act imposed for not putting or placing the Sides or outward Edges of any Floor,

straight Lines, if so placed as to be conveniently gauged.

or any Quantity of Corn or Grain making into Malt, in straight Lines, as required by the said recited Act, so that all such Floors or Quantities of Corn or Grain making into Malt shall be deposited and left and placed in such Form that they may be conveniently gauged, and that they be levelled as required by the said recited Act.

Allowances on charging Malt repealed.

XX. And be it further enacted, That so much of the said recited Act as enacts, that whenever the Duty upon Malt shall be charged by Gauge of the Corn or Grain taken while the same is in a State of Operation, or in process of making into Malt, such Allowances shall be made upon such Gauges as are herein-after mentioned; upon every Gauge thereof taken by the Officer of Exercise in the Cistern wherein the Corn or Grain is wetting or steeping to be made into Malt, or in the Couch Frame into which the Corn or Grain shall have been emptied, during the Period respectively for which Corn or Grain is by this Act before required to be kept and continued in such Cistern and Couch Frame respectively, an Allowance shall be made by such Officer of One Fifth Part of the whole Quantity of the Corn or Grain so found by such Gauge; and upon every Gauge taken by the Officer of Excise of such Corn or Grain on the Floor, after the Expiration of such Periods of Time respectively as aforesaid, and before the Expiration of Ninety-six Hours from the Time when such Corn or Grain was emptied or taken from or out of the Cistern, an Allowance shall be made by such Officer of One Third Part of the whole Quantity of the Corn or Grain so found by such Gauge as last aforesaid; and upon every Gauge afterwards taken by the Officer of Excise of such Corn or Grain before the same shall be dried off upon and removed from the Kiln, an Allowance shall be made by such Officer of One Half of the whole Quantity of such Corn or Grain so found by such Gauge as last aforesaid; and the Duty of Excise upon Malt, when charged upon the Corn or Grain in a State of Operation, or in process of making into Malt as aforesaid, shall be charged upon the best of the several Gauges so taken as aforesaid, after such Allowances shall have been so made thereon respectively as before mentioned: Provided always, that it shall be lawful for any Officer of Excise to take an Account of all the Malt made by any Maltster or Maker of Malt, after the same shall have been taken or thrown off from the Kiln, and whilst the same shall remain in the Custody or Possession of the Maltster or Maker thereof; and if, upon taking such Account as last aforesaid, such Officer shall find the Quantity of Malt so taken Account of to exceed the Quantity before charged with Duty, according to the best Gauge thereof when taken in operation as aforesaid, such Officer shall in every such Case (making an Allowance after the Rate of Eighteen Bushels in every One hundred Bushels of Blown Malt for Porter) charge the Duty upon all such Excess; any thing herein-before contained to the contrary thereof notwithstanding, shall be and the same is hereby repealed.

Allowances to be made on charging Malt by Gauge.

XXI. And be it further enacted, That whenever the Duty upon Malt shall be charged by Gauge of the Corn or Grain taken whilst the same is in a State of Operation, or in process of making into Malt, such Allowances shall be made upon such Gauges as are herein-after

mentioned; that is to say, upon every Gauge thereof taken by the Officer of Excise in the Cistern wherein the Corn or Grain is wetting or steeping to be made into Malt, during the Time which such Corn or Grain shall be kept and continued in such Cistern, or in the Couch Frame into which such Corn or Grain shall be emptied, or on the Floor, during the Period for which such Corn or Grain is by this Act before required to be kept and continued in such Couch Frame, and directed to be deemed in Couch, and gauged and taken Account of as in such Couch, an Allowance shall be made by such Officer of Seventeen Bushels and One Half Bushel in every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge; and upon every Gauge taken by the Officer of Excise of such Corn or Grain on the Floor after the Expiration of Twenty-six Hours, if such Corn or Grain shall have been previously gauged and taken Account of in the Couch Frame, and if such Corn or Grain shall not have been so previously gauged, then after the Expiration of Thirty Hours and before the Expiration of Seventy-two Hours from the Time when such Corn or Grain was emptied or taken from or out of the Cistern, an Allowance shall be made of One Third of the whole Quantity of the Corn or Grain so found by such Gauge as last aforesaid; and upon every Gauge afterwards taken by the Officer of Excise of such Corn or Grain before the same shall be dried, an Allowance shall be made by such Officer of One Half of the whole Quantity of such Corn or Grain so found by such Gauge as last aforesaid; and the Duty of Excise on Malt, when charged upon the Corn or Grain in a State of Operation, or in process of making into Malt, as aforesaid, shall be charged on the best of the several Gauges so taken as aforesaid after such Allowances shall have been so made thereon respectively as aforesaid.

Allowance on unscreened Malt measured from the Kiln, repealed.

XXII. And be it further enacted, That so much of the said Act as provides and enacts, that whenever any Officer of Excise shall propose to measure or take an Account of Malt, on the same being taken or thrown off from the Kiln, and whilst the same is hot, and contains the Commings or Roots thereof, and is in the same State as the same has been taken or thrown off from the Kiln, such Officer shall in such Account make an Allowance of Twelve *per Centum* for the Heat, Commings or Roots, and unclean State of such Malt, or shall, at the Election of such Officer, require such Malt to be forthwith screened and cleaned for the Purpose of being measured and taken Account thereof without such Allowance; and in case such Maltster or Maker of Malt shall, on such Request of the Officer to screen such Malt, desire Time so to do, it shall be lawful for such Officer to lock up all such Malt in a safe and secure Room, to be provided by such Maltster or Maker of Malt; and no such Maltster or Maker of Malt shall be entitled to any such Allowance as aforesaid, or to screen such Malt before the same is measured or taken Account of as aforesaid, unless he shall forthwith remove and deposit all such Malt in such Room, and keep the same therein so locked up by the Officer of Excise, safely and securely, and unmixed with any other Malt whatsoever, until such Maltster or Maker of Malt shall give Forty-eight Hours Notice to the proper Officer of Excise

Excise to unlock such Room, and shall thereupon screen and clean such Malt for the Purpose of being measured and taken Account of by the Officer, without such Allowance as aforesaid: Provided also, that on any Officer taking an Account of the Malt in the Stock, Custody, or Possession of any Maltster or Maker of Malt, on or after the Tenth Day of *October* in every Year, as herein-after mentioned, every such Officer shall make an Allowance to such Maltster or Maker of Malt of One Bushel in Twenty Bushels of such Malt, for any Variation having occurred therein whilst in Stocks; any thing herein-before contained to the contrary thereof in anywise notwithstanding, shall be and the same is hereby repealed.

Entry required to be made monthly, repealed.

XXIII. And be it further enacted, That so much of the said Act as enacts, that every Maltster or Maker of Malt shall, monthly and every Month, make a true Entry in Writing of all the Malt by him or her made within such Period as aforesaid, at the Office of Excise within the Limits whereof such Malt shall have been made; and if any Maltster or Maker of Malt shall neglect or refuse to make Entry as aforesaid, or shall make any false Entry in that Behalf, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

So much of the Act as requires Maltsters to clear off their Duties within 14 Days after Entry, repealed.

XXIV. And be it further enacted, That so much of the said recited Act as enacts, that every Maltster and Maker of Malt shall, within the Space of Fourteen Days next after he or she shall have or ought to have made such Entry as aforesaid, pay and clear off all the Duties which shall have been charged upon, and which shall remain unpaid by such Maltster or Maker of Malt, for or in respect of any Malt by him or her made, unless such Maltster or Maker of Malt shall have given, and shall maintain and renew, upon the Death or Insolvency of any Party thereto, Security, approved of by the Commissioners of Excise, or the Commissioner or Commissioners and Assistant Commissioners of Excise in *Scotland* or *Ireland* respectively, or the Person or Persons who shall be appointed or employed by them respectively for that Purpose, by Bond in Double the Value of the Duties which such Commissioners of Excise, or Commissioner or Commissioners and Assistant Commissioners of Excise, or such Person or Persons as aforesaid, shall judge likely to arise or be charged upon and become due from such Maltster or Maker of Malt within any Five Months, for the due Payment at the End of every Four Months from the Day on which such Maltster or Maker of Malt shall or ought to have made such Entry as aforesaid, of all such Duties and Sum and Sums of Money as shall arise or be charged on or become due from such Maltster or Maker of Malt; and if any Maltster or Maker of Malt who shall not have given such Security, or who shall not maintain and renew such Security as aforesaid, shall neglect or refuse to pay and clear off such Duties within the Space of Fourteen Days as aforesaid, every such Maltster or Maker of Malt as last aforesaid, so offending, shall for every such Offence forfeit and lose Double the Sum for which such Duties so neglected or refused to be paid or cleared off as aforesaid shall amount to, shall be and the same is hereby repealed.

XXV. And

So much of 9 G. 4. c. 45. as enacts, that all Duty on Malt shall be paid within 14 Days after Entry made, repealed.

XXV. And be it further enacted, That so much of an Act passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act to amend and to make perpetual, and to extend to the whole of the United Kingdom, certain Provisions contained in several Acts for regulating the Rectification, compounding, dealing in, or retailing of Spirits, and for preventing private Distillation, in* Scotland, *and to provide for the Payment of the Duty on Malt used in making of Spirits from Malt only*, as enacts, that all Duty charged upon or in respect of any Malt which shall be made to be used and consumed only by Distillers or Makers of Low Wines or Spirits in *Scotland* or *Ireland*, in distilling Low Wines or Spirits made from Malt only, shall be paid and cleared off by the Maltster or Maker of such Malt within the Space of Fourteen Days next after such Maltster or Maker of Malt shall have or ought to have made such Entry, as in the said therein-recited Act is mentioned, whether any Bond or Security for the Payment of such Duties shall or shall not have been given pursuant to the said recited Act, on pain that every such Maltster or Maker of Malt shall forfeit Double the Amount or Sum of such Duties so neglected or refused to be paid within the said Space of Fourteen Days, any thing in the said recited Act to the contrary in anywise notwithstanding, shall be and the same is hereby repealed.

Officer of Excise to make a Return of Duty charged on the Maltster every Six Weeks; the Amount of such Return to be paid in Six Days, unless Security shall have been given.

XXVI. And be it further enacted, That the Officer of Excise under whose Survey any Maltster or Maker of Malt shall be, or any other Officer appointed so to do, shall and he is hereby required, from Time to Time, at the Expiration of every Six Weeks, or at such other Times as the Commissioners of Excise shall direct, to make out and deliver to the Collector of Excise, or to such Person or Persons as the Commissioners of Excise shall appoint to receive the same, an Account or Return in Writing of the Quantity of Malt made by such Maltster or Maker of Malt, and for which he shall have become chargeable with Duty, in such preceding Six Weeks or Period, and of the Duty payable thereon; and the Return or Account of such Officer shall be a Charge on every such Maltster or Maker of Malt; and such Maltster or Maker of Malt shall pay and clear off the Duty appearing by such Return or Account to have become due and payable within Six Days after such Return or Account shall have been made, unless such Maltster or Maker of Malt shall have given and shall maintain, and shall renew from Time to Time as he may be by the Commissioners of Excise required, or Persons appointed by them for that Purpose, to renew the same, Security, approved by the Commissioners of Excise, or the Person or Persons who shall be appointed by them for that Purpose, by Bond in Double the Value of the Duties which such Commissioners of Excise, or such Person or Persons as aforesaid, shall judge likely to arise or be charged on and become due from such Maltster or Maker of Malt within any Eighteen Weeks, for the due Payment at the End of every Eighteen Weeks after such Account or Return as aforesaid shall be made of all such Duties and Sum and Sums of Money as shall arise or be charged on or become due from such Maltster or Maker of Malt; and if any Maltster or Maker of Malt who shall not have given such Security, or who shall not maintain,

and renew when required so to do, such Security, shall neglect or refuse to pay and clear off such Duties within Six Days as aforesaid, every such Maltster or Maker of Malt shall for every such Offence forfeit and lose Double the Sum which such Duties so neglected or refused to be paid or cleared off shall amount to.

Certain Maltsters in Scotland and Ireland to clear off the Duty in Six Days.

XXVII. Provided always, and be it further enacted, That all Duty charged upon or in respect of any Malt which shall be made to be used and consumed only by Distillers or Makers of Low Wines and Spirits in *Scotland* or *Ireland*, in distilling Low Wines or Spirits from Malt only, shall be paid and cleared off within the Space of Six Days next after such Account or Return shall have been made as aforesaid, whether any Bond or Security for the Payment of such Duties shall or shall not have been given, on pain that every such Maltster or Maker of Malt shall forfeit Double the Amount or Sum of such Duties so neglected or refused to be paid within the said Space of Six Days.

Regulations relating to Certificates, repealed.

XXVIII. And be it further enacted, That so much of the said recited Act as directs and requires, that a Book, with proper printed Forms and Titles for such Purposes as therein-after mentioned, shall be delivered by the proper Officer of Excise to every Maltster or Maker of Malt, and that from and after the Tenth Day of *October* One thousand eight hundred and twenty-seven no Malt exceeding Four Bushels at One Time, or if to a Brewer of Beer for Sale, in any Quantity whatsoever, shall be sold, sent out, or delivered without a Certificate, filled up and cut out progressively from the printed Forms and Titles contained in such Book as aforesaid, signed by the Maltster or Maker of Malt selling, sending out, or delivering the same, or by some Person on his Behalf, certifying the Particulars in and by the said recited Act required, together with all other Regulations, Provisions, Clauses, and Enactments in the said recited Act contained, relating to such Books, and to the issuing, delivering, or sending out such Certificates, filling up any Counterparts thereof, or to any Trader or other Person, or delivering such Certificates to any Officer of Excise, or to the Removal of any Malt under or by virtue of any such Certificate, and all Penalties and Forfeitures in and by the Act imposed for any Breach or Neglect of any of the said Provisions, Regulations, Clauses or Enactments relating to the said Book and to such Certificates, shall be and the same is and are hereby repealed.

Provision as to Daily Entries of Malt sent out, repealed.

XXIX. And be it further enacted, That so much of the said recited Act as enacts, that every Maltster or Maker of Malt shall daily enter in a Book delivered to him or her by the Officer of Excise for that Purpose, the total Quantity of Malt by such Maltster or Maker of Malt sold or sent out during such Day, in Quantities not exceeding Four Bushels at One Time, except to a Brewer of Beer for Sale; and every such Maltster or Maker of Malt shall at all Times keep such Book, with all Entries made therein, open and exposed in some entered Building or Place of and belonging to such Maltster or Maker of Malt, for the Perusal and Inspection of the Officers of Excise, and shall deliver up every such Book as aforesaid to any

Officer of Excise demanding the same, and permit him to make any Minute therein, as such Officer shall think fit; and if any such Maltster or Maker of Malt shall neglect or refuse to make such Entry as aforesaid, or shall not keep such Book as last aforesaid, or shall not deliver up any such Book to any Officer demanding the same, or permit him to make any Minute therein, or shall convey away or conceal the same, or shall destroy or tear out any Leaf thereof, or cancel, obliterate, destroy, or alter any Entry therein, or make any false Entry therein, every such Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds, shall be and the same is hereby repealed.

Provision that Entry shall be made of every Building used by Malt Factors, repealed.

XXX. And be it further enacted, That so much of the said recited Act as enacts, that every Factor or Dealer in or Seller of Malt shall make true and particular Entry in Writing of every Building or Place by him or her intended to be used for the storing or keeping of Malt for Sale, at the nearest Office of Excise; and if any Factor, Dealer in or Seller of Malt, shall use any Building or Place for the storing or keeping of Malt for Sale, without having made such Entry thereof as aforesaid, every Factor, Dealer in or Seller of Malt, so offending, shall forfeit and lose the Sum of One hundred Pounds for every Building or Place so used without such Entry thereof as aforesaid; and all Malt which shall be found in any such Building or Place shall be forfeited, and shall and may be seized by any Officer of Excise, shall be and the same is hereby repealed.

Regulations regarding Malt Factors, repealed.

XXXI. And be it further enacted, That so much of the said recited Act as directs and requires, that a Book, prepared with proper printed Forms and Titles for such Purposes as therein-after mentioned, shall be delivered by the proper Officer of Excise to every Factor or Dealer in or Seller of Malt, and that every Factor or Dealer in or Seller of Malt shall make Entries in such Book of all Malt received into his or her Custody, and all Regulations, Directions, and Provisions in the said recited Act relating to such Book or such Entries, shall be and the same is and are hereby repealed.

Regulations for taking Stock of Malt, repealed.

XXXII. And be it further enacted, That so much of the said Act as enacts, that every Maltster or Maker of Malt, within Ten Days after the Tenth Day of *October* in every Year, shall cast or place all the Malt not then in operation or process of making into Malt, in his or her Custody or Possession, into such level and regular Form as may enable the Officer of Excise conveniently to gauge and ascertain the true Quantity thereof; and if any Maltster or Maker of Malt shall neglect or refuse to cast or place all or any such Malt as aforesaid, every Maltster or Maker of Malt so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, shall be and the same is hereby repealed.

Penalty and Forfeiture for removing Malt without Certificate, repealed.

XXXIII. And be it further enacted, That so much of the said recited Act as enacts, that every Person who shall at any Time be found removing or attending and directing the Removal of any Malt from one Part of the United Kingdom to any other Part thereof, shall, upon the Demand of any Officer of Excise, produce such

such Malt, and the Certificate accompanying, or which shall or ought to have accompanied such Malt on the Removal thereof, to the Officer demanding the same, to be by him examined and inspected, and compared with the Quantity and Quality of the Malt so removing as aforesaid; and if any such Person or Persons shall, upon the Demand of any Officer of Excise, neglect or refuse to produce any such Malt or Certificate as aforesaid, or to suffer or permit such Inspection, Examination, and Compare as aforesaid, or shall hinder or obstruct any Officer of Excise therein, or in the due Execution of his Duty, or of any of the Powers to such Officer by this Act granted, every such Person so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and in every such Case all such Malt, and the Vessel or Boat, Cart, Carriage, or other Conveyance, Horses or other Cattle, removing or which shall have been used in the Removal of such Malt, shall be forfeited, and shall and may be seized by any Officer of Excise, shall be and the same is hereby repealed.

Repeal of Provisions of recited Act shall not revive the Provisions of any former Act.

XXXIV. Provided always, and be it further enacted, That the Repeal of any of the Provisions of the said recited Act by this Act shall not extend or be construed to extend to revive or put in force any Provision contained in any former Act or Acts; but that all such Enactments, Clauses, and Provisions, in any former Act or Acts contained, as are by the said recited Act directly or indirectly repealed, shall and the same are hereby declared to continue repealed, and of no Effect.

Punishment of Servants offending.

XXXV. And whereas in and by the said recited Act Provision is made for punishing any Workman, Servant, or Labourer employed by or in the Service of any Maltster or Maker of Malt, who shall maliciously, and with Intent to injure such Maltster or Maker of Malt, begin to wet or steep any Corn or Grain to be made into Malt at any other Time than between the Hours of Eight of the Clock in the Morning and Two of the Clock in the Afternoon, or empty or take any Corn or Grain from or out of the Cistern at any other Time than between the Hours of Seven of the Clock in the Morning and Four of the Clock in the Afternoon, or who shall maliciously, and with such Intent as aforesaid, wet, water, or sprinkle any Corn or Grain making into Malt before the Expiration of Twelve Days or Two hundred and eighty-eight Hours after the same shall have been emptied or taken from or out of the Cistern, or mix, either on the Floor or in the Kiln, any Corn or Grain of one Wetting or Steeping with or amongst any Corn or Grain of another or different Wetting or Steeping: And whereas it is expedient to extend the said Provision to other Offences which such Workmen, Servants, or Labourers may commit; be it therefore further enacted, That if any Workmen, Servant, or Labourer employed by or in the Service of any Maltster or Maker of Malt shall maliciously, and with Intent to injure such Maltster or Maker of Malt, omit to give any Notice, or to do any Act, Matter, or Thing required by the said recited Act or this Act to be given or done, or shall do any Act, Matter, or Thing prohibited to be done by the said recited Act or this Act, or commit any Offence against any of the Provisions of the said recited Act or this Act, whereby such

Maltster or Maker of Malt shall be injured or damnified, or subjected to any Penalty imposed by the said recited Act or this Act, every such Workman, Servant, and Labourer so offending shall and may be arrested and conveyed before any One Justice of the Peace, and convicted by and before such Justice, and committed to Gaol, and kept to hard Labour, in the Manner directed by and for the Time specified in the said Provision of the said recited Act; and the said Provision is hereby extended to the other Offences against the recited Act and this Act, and made Part of this Act, as fully and effectually as if the same was hereby repeated and re-enacted: Provided always, that no such Arrest and Conviction shall take place or be made for any Offence committed by any such Workman, Servant, or Labourer against any Provision of the said recited Act or this Act, after the Expiration of One Month from the Discovery of the Offence.

Provision that no Person shall be entitled to Relief for Malt destroyed, unless Notices be given in manner therein specified, repealed.

XXXVI. And be it further enacted, That so much of the said recited Act as provides and enacts, that no Person or Persons shall be entitled to any Relief in such Case as aforesaid, unless a Notice in Writing, describing the Nature, Cause, and Extent of such Accident as aforesaid, shall be delivered to the Commissioners of Excise, or to the Supervisor of Excise of the District in which such Loss shall have taken place or shall have been first discovered, within Three Days next after the same shall have taken place or been so discovered; or unless the Person or Persons by whom such Loss shall have been sustained, or the Agent of such Person or Persons, shall give or leave Notice in Writing of his, her, or their Intention to apply for such Relief, with the Collector or Supervisor of Excise of the Collection or District where the Quarter Sessions are to be held at which he, she, or they there intend to apply for such Relief, or to the Solicitor of Excise for the summary Jurisdiction of the Commissioners of Excise in *London*, where such Application shall be intended to be made to such Commissioners, Fourteen Days at the least before the Beginning of such Quarter Sessions, or before such Application to such Commissioners; and unless such Person or Persons shall apply for such Relief within One Month after such Accident shall have taken place or have been first discovered, or at the next General Quarter Sessions of such Justices which shall take place after the Expiration of such Month; any thing in this Act, or in any other Act or Acts, to the contrary thereof notwithstanding, shall be and the same is hereby repealed.

Notice to be given on Application for Relief in case of Malt destroyed or damaged.

XXXVII. Provided always, and be it enacted, That no Person or Persons shall be entitled to any Relief under the said recited Act for any Malt destroyed or damaged by Fire or inevitable Accident, unless a Notice in Writing, describing the Nature, Cause, and Extent of such Accident as aforesaid, shall be delivered to the Commissioners of Excise, or to the Supervisor of Excise of the District in which such Loss shall have taken place or shall have been first discovered, within Fourteen Days next after the same shall have come to the Knowledge of the Person or Persons claiming such Relief; nor unless such Person or Persons, or the Agent of such Person or Persons, shall also give or leave Notice in Writing of his,

her, or their Intention to apply for such Relief with the Collector or Supervisor of Excise of the Collection or District where the Quarter Sessions are to be held at which he, she, or they intend to apply for such Relief, or to the Solicitor of Excise for *England*, where such Application shall be intended to be made to such Commissioners, Ten Days at the least before the Beginning of such Quarter Sessions, or before such Application to such Commissioners; nor unless such Person or Persons shall also apply for such Relief within Four Calendar Months after such Accident shall have come to his, her, or their Knowledge; any thing in this Act, or in any other Act or Acts, to the contrary thereof notwithstanding.

Recited Act to remain in force where not repealed.

XXXVIII. And be it further enacted, That all Clauses, Enactments, Provisions, Restrictions, Regulations, Matters, and Things in the said recited Act contained, not hereby repealed, shall be and remain in full Force and Effect.

Recited Act and this Act to be construed together.

XXXIX. And be it further enacted, That all the Enactments, Clauses, Powers, and Provisions contained in an Act made and passed in the Seventh and Eighth Years of His Majesty's Reign, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great Britain *and* Ireland, except as the same are hereby expressly altered or repealed, shall extend and be deemed and construed to extend to this Act.

Commencement of Act.

XL. And be it further enacted, That this Act shall commence and take effect from and immediately after the passing thereof.

Act may be altered.

XLI. And be it further enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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ANNO UNDECIMO

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solemnized, or if no such Place should be so licensed, then in a Church or Chapel of any adjoining Parish or Chapelry in which Banns were usually proclaimed, whether by Banns lawfully published in such Church or Chapel, or by Licence lawfully granted, should not have their Validity questioned on account of their having been so solemnized, nor should the Ministers who had so solemnized the same be liable to any Ecclesiastical Censure or to any other Proceeding whatsoever: And whereas the Ministers of certain Parish Churches and Chapels of Chapelries have, during the Repair or rebuilding of such Churches or Chapels, published the Banns of Marriages in some Places within the Limits of their Parishes or Chapelries respectively wherein Divine Service has been usually performed during the Time of such Repair or rebuilding, but have solemnized the Marriages themselves in the Churches or Chapels of the same or of some adjoining Parishes or Chapelries: And whereas other Clergymen, during the Time of such Repair or rebuilding, have published Banns of Marriage and solemnized Marriages in Places duly licensed for the Performance of Divine Worship, according to the Forms of the United Church of *England* and *Ireland*, within their respective Parishes or Chapelries, but not licensed specially for such Performance during such Time as aforesaid: And whereas it is expedient that the Marriages so solemnized should not on that Account have their Validity questioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Marriages, the Banns whereof have been published in any Place used for the Performance of Divine Service within the Limits of any Parish or Chapelry during the Repairs or rebuilding of the Church or Chapel thereof, which Marriages have been solemnized either in the said Place so used or in the Church or Chapel of the same or of some adjoining Parish or Chapelry during such Repair or rebuilding, shall not have their Validity questioned on account of having been so solemnized.

The Validity of Marriages solemnized under the Circumstances herein mentioned, not to be questioned.

II. And be it further enacted, That in every Case in which the Church of any Parish or Place, in which Banns of Marriage may be published and Marriages solemnized, shall be pulled down, or be rebuilding or under Repair, it shall be lawful for the Bishop of the Diocese to order and direct that Banns of Marriage may be published and Marriages solemnized in any consecrated Chapel of such Parish or Place which he shall by Order in Writing direct, until the Church shall again be opened for the Performance of Divine Service; and during all such Period the said consecrated Chapel shall, for all Purposes relating to the Publication of Banns of Marriage and to the Solemnization of Marriages, be deemed and taken to be the Church of the Parish, any thing in any Act or Acts to the contrary notwithstanding; and the Fees in respect thereof shall be applied, during such Period, as the Bishop of the Diocese shall, with the Consent of the Incumbent, order and direct.

During the Time that any Church, &c. is under Repair, the Bishop may direct Banns to be published in any consecrated Chapel of the Parish.

III. And whereas Doubts have arisen touching the Validity of Marriages solemnized in Churches which have been made and constituted

For removing Doubts as to Marriages

constituted the Churches of distinct Parishes, or District Parishes, under the Provisions of an Act passed in the Fifty-eighth Year of His late Majesty, intituled *An Act for building and promoting the building of additional Churches in populous Parishes;* and also of an Act passed in the Fifty-ninth Year of His late Majesty, intituled *An Act to amend and render more effectual an Act passed in the last Session of Parliament, for building and promoting the building of additional Churches in populous Parishes:* And whereas it is expedient that such Doubts should be removed; therefore be it enacted, That all Marriages which have already been solemnized, or may hereafter be solemnized, in any Church which shall have been made and constituted the Church of a distinct Parish, or of a District Parish, as aforesaid, after Consecration thereof and Assignment of a District thereto, shall be as good and valid in Law as if such Marriages had been solemnized in any Parish Church wherein Banns had been usually published before or at the Time of passing an Act made in the Twenty-sixth Year of King *George* the Second, intituled *An Act for the better preventing of clandestine Marriages.*

solemnized in Churches made and constituted under Acts 58 G.3. c.45. and 59G.3.c.134.

26 G.2. c.33.

IV. And whereas, by Error, Banns have been published, and divers Marriages have been solemnized, in Chapels duly consecrated, but in which Chapels Banns cannot be legally published, nor Marriages by Law be solemnized; and it is expedient to remove all Doubts arising from the Circumstances aforesaid touching the due Publication of such Banns and the Validity of such Marriages; therefore be it enacted, That all Banns already published, and all Marriages already solemnized, in such Chapels as aforesaid, shall not hereafter be questioned on account of the said Banns having been published, or the said Marriages solemnized, in a Chapel not legally authorized for the Publication of Banns and the Solemnization of Marriages: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the Publication of Banns or the Solemnization of Marriages in such Chapels hereafter.

The Validity of Marriages solemnized in certain Chapels not to be questioned;

V. And whereas divers Marriages have taken place in Chapels supposed to be consecrated, the Consecration of which Chapels, however, cannot be proved, and may be doubted: And whereas it is expedient that all Apprehensions touching the Validity of such Marriages, on this Account, should entirely be removed; be it therefore enacted, That the Validity of such Marriages shall not hereafter be questioned on account of the Uncertainty respecting the Consecration of such Chapels.

nor Marriages solemnized in Chapels, the Consecration of which may be doubted.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XIX.

An Act to extend the Powers of Grand Juries in the Execution of an Act of the Fifty-eighth Year of His late Majesty's Reign, for establishing Fever Hospitals in *Ireland*. [29th *May* 1830.]

WHEREAS by an Act made in the Fifty-eighth Year of His late Majesty King *George* the Third, intituled *An Act to establish Fever Hospitals, and to make other Regulations for the Relief of the suffering Poor, and for preventing the Increase of infectious Fevers in* Ireland, it is enacted and provided, that it shall be lawful for the Grand Jury of any County, County of a City, or County of a Town in *Ireland*, to present certain Sums of Money for the Support of certain Fever Hospitals mentioned, specified, or described in the said Act; and it is expedient that the Powers of such Grand Juries should be extended in favour of any Fever Hospital or House of Recovery which may have been established at any Time before the passing of the said Act, although such Fever Hospital or House of Recovery may not come within any of the Descriptions or Definitions in the said Act contained; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act it shall and may be lawful for the Grand Jury of the County of *Dublin*, or of the County of the City of *Dublin*, or of any other County, County

58 G. 3. c. 47.

Presentments, not exceeding double the Amount of

the Subscriptions, &c. may be made by Grand Juries in Ireland for any Fever Hospital, although established before the passing of the recited Act.

County of a City or Town in *Ireland*, to present to be raised in any such County at large, or County of a City or Town, at any Assizes or Presenting Term for such County, County of a City or Town, any Sum not exceeding double the Amount of the Sum or Sums raised by Donation or Subscription for the Support of any Fever Hospital or House of Recovery within such County, or County of a City or Town, and actually received by the Treasurer thereof in the Year preceding such Assizes or Presenting Term, to be applied, together with the Monies so raised by private Donation or Subscription, in the Support of any such Fever Hospital or House of Recovery, although such Fever Hospital or House of Recovery may have been established in such County, County of a City or Town, at any Time before the passing of the said recited Act; and any such Sum so presented shall be raised, levied, collected, and paid in such Manner to all Intents and Purposes as any Sum presented under the said recited Act.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XX.

An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy. [29th *May* 1830.]

WHEREAS it is expedient to revise, amend, and reduce into One Act the Laws relating to the Payment of Wages and other Monies payable in respect of Services done on board His Majesty's Ships and Vessels of War; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of an Act passed in the First Year of the Reign of His late Majesty King *George* the First, intituled *An Act to prevent Disturbances by Seamen and others, and to preserve the Stores belonging to His Majesty's Royal Navy; and also for explaining an Act for the better preventing the Embezzlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and Abuses in paying Seamen's Wages; and for reviving and continuing an Act for the more effectual Suppression of Piracy*, as relates to the Punishment of Persons who shall counterfeit the Hands of the Treasurer, Comptroller, Clerk of the Acts, Surveyor or Commissioners of the Navy, or of the signing or vouching Officers of His Majesty's Navy, Ships, or Yards, to any Bill, Ticket, or other Papers; and also an Act passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the Encouragement and Increase of Seamen, and for the better and speedier managing His*

Repeal of 1 G. 1. c. 25. in part; and of 14 G. 2. c. 38.

His Majesty's Fleet; and also an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Second,
31 G. 2. c. 10. intituled *An Act for the Encouragement of Seamen employed in the Royal Navy, and for establishing a regular Method for the punctual, frequent, and certain Payment of their Wages, and for enabling them more easily and readily to remit the same for the Support of their Wives and Families, and for preventing Frauds and Abuses attending such Payments;* and an Act passed in the Thirty-second Year of His
32 G. 3. c. 33. late Majesty King *George* the Third, intituled *An Act for explaining and amending an Act passed in the Thirty-first Year of the Reign of His late Majesty King* George *the Second, intituled 'An Act for the Encouragement of Seamen employed in the Royal Navy, and for establishing a regular Method for the punctual, frequent, and certain Payment of their Wages, and for enabling them more easily and readily to remit the same for the Support of their Wives and Families, and for preventing Frauds and Abuses attending such Payments;' and for further extending the Benefits thereof to Petty Officers and Seamen, Non-commissioned Officers of Marines, and Marines, serving or who may have served on board any of His Majesty's Ships;* and an Act passed in the said Thirty-second Year of the Reign of His late Majesty
32 G. 3. c. 67. King *George* the Third, intituled *An Act for extending certain Acts therein mentioned to Petty Officers and Seamen, Non-commissioned Officers of Marines, and Marines, serving or who may have served on board any of His Majesty's Ships, and residing in* Ireland; and Two Acts passed in the Thirty-fifth Year of the Reign of His said late Majesty
35 G. 3. c. 28. King *George* the Third, the one intituled *An Act to enable Petty Officers in the Navy, and Seamen, Non-commissioned Officers of Marines, and Marines, serving in His Majesty's Navy, to allot Part of their Pay for the Maintenance of their Wives and Families,* and the other in-
35 G. 3. c. 94. tituled *An Act for establishing a more easy and expeditious Method for the punctual and frequent Payment of the Wages and Pay of certain Officers belonging to His Majesty's Navy;* and an Act passed in the same Thirty-fifth Year of the Reign of His said Majesty, intituled
35 G. 3. c. 95. *An Act to enable Boatswains, Gunners, and Carpenters to allot Part of their Wages or Pay for the Maintenance of their Wives and Families;* and an Act passed in the Thirty-seventh Year of the Reign of His
37 G. 3. c. 53. said Majesty King *George* the Third, intituled *An Act for carrying into execution His Majesty's Order in Council of the Third Day of* May *One thousand seven hundred and ninety-seven, for an Increase of Pay and Provision to the Seamen and Marines serving in His Majesty's Navy, and to amend so much of an Act made in the Thirty-fifth Year of the Reign of His present Majesty as enables Petty Officers and Seamen, Non-commissioned Officers of Marines, and Marines, to allot Part of their Pay for the Maintenance of their Wives, Children, or Mothers;* and an Act passed in the Forty-sixth Year of the Reign of His said
46 G. 3. c. 127. Majesty King *George* the Third, intituled *An Act to amend and extend the Benefits of an Act made in the Thirty-fifth Year of His present Majesty, to enable Petty Officers, Seamen, and Marines serving in His Majesty's Navy to allot Part of their Wages or Pay for the Maintenance of their Wives and Families;* and Two Acts passed in the Forty-ninth Year of the Reign of His said Majesty King *George* the Third, the
49 G. 3. c. 45. one intituled *An Act for more conveniently paying of Allowances on the Compassionate List of the Navy, and of Half Pay to Officers of*

the Royal Marines, and the other intituled *An Act to amend the several Acts respecting the Payment of Wages and Prize Money, and Allotment of Wages, to Persons serving in His Majesty's Royal Navy*; and an Act passed in the Fifty-third Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for amending Two Acts passed in the Thirty-first and Thirty-second Years of His present Majesty, for the Encouragement of Seamen employed in the Royal Navy, and for establishing a regular Method for the punctual, frequent, and certain Payment of their Wages, and for enabling them more easily and readily to remit the same for the Support of their Wives and Families, and for preventing Frauds and Abuses attending such Payments*; and an Act passed in the Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to repeal several Acts relating to the Execution of Letters of Attorney and Wills of Petty Officers, Seamen, and Marines in His Majesty's Navy, and to make new Provisions respecting the same*; and an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enabling the Officers in His Majesty's Navy, and their Representatives, to draw for and receive their Half Pay, and for transferring the Duty of making certain Payments from the Clerks of the Checque at His Majesty's Dock Yards to the Clerks of the Treasurer of the Navy at the same Yards*; and an Act passed in the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for making further Regulations in respect to the Pay of the Officers of the Royal Navy in certain Cases therein mentioned*; and an Act passed in the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to explain and amend an Act passed in the Thirty-first Year of His Majesty King* George *the Second, for the Encouragement of Seamen employed in the Royal Navy, as it relates to certain Allowances to Navy Agents*; and an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act for making further Regulations in respect to the Payment by Remittance Bill of the Wages of Petty Officers, Seamen, and Marines in the Royal Navy, and for extending the Provisions of an Act made in the Fifty-fifth Year of His late Majesty, relating to the Execution of Letters of Attorney and Wills of Petty Officers, Seamen, and Marines in His Majesty's Navy*; and an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act to make further Provision for the Payment of the Crews of His Majesty's Ships and Vessels*; and an Act passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act for repealing several Acts relating to the Charity for the Relief of poor Widows of Commissioned and Warrant Officers in the Royal Navy, and for substituting other Provisions in lieu thereof*; shall be and the same are hereby repealed: Provided always nevertheless, that all Acts, Matters, and Things done previously to the Commencement of the Operation of this Act, in pursuance of any of the said Acts hereby repealed, and all Regulations and Provisions relating thereto, shall continue to be as good, valid, binding, and effectual as if the said Acts and every of them still continued in full Force; provided also, that all Offences committed before the Commencement of this Act against the Provisions of any of the said Acts shall be cognizable and punishable under the said Acts as if the same had not been repealed; and provided likewise, that

49 G. 3. c. 108.

53 G. 3. c. 85.

55 G. 3. c. 60.

56 G. 3. c. 101.

57 G. 3. c. 20.

59 G. 3. c. 119.

1 & 2 Geo. 4. c. 49.

6 G. 4. c. 18.

10 G. 4. c. 14.

Proviso for all Matters done, and Offences committed, previously hereto.

This Act not to revive any former Acts.

that the Repeal of the said Acts by this present Act shall not extend to revive the Provisions of any former Acts which were altered or repealed by any of the said recited Acts so hereby repealed.

Volunteers to receive Certificates to entitle them to Wages, Conduct Money, and Two Months Advance.

II. And be it further enacted, That whenever any Seaman or able-body Landman shall voluntarily enter his Name with any Officer of the Royal Navy authorized to receive Volunteers, in order to serve on board any Ship of His Majesty, such Officer shall make out and deliver to him gratuitously a Certificate of the Date of such Entry; and if such Volunteer shall forthwith proceed towards the Ship for which he shall have so entered, or on board the nearest receiving Ship to the Place of his Entry, and make his personal Appearance on board the same within the Space of Fourteen Days from the Date of such Certificate, including the Day of the Date thereof, provided the Place of his Entry be not above One hundred Miles distant from such Ship, or within the Space of Thirty Days if the Place of Entry be above Two hundred Miles distant, every such Volunteer shall be entitled to Wages from the Time of such Entry, including the Day of the Date thereof, and shall also be allowed Conduct Money after the usual Rate, and shall be paid an Advance of Two Months Wages, at the first fitting out of the Ship in which he shall be appointed to serve as Part of the Complement or as a Supernumerary for Wages, before such Ship shall proceed to Sea; and every Seaman and able-bodied Landman who shall be entered on the Books of any Ship of His Majesty as a Supernumerary, and who at the Time of such Entry shall not belong to or be borne for Wages on the Books of any other Ship, shall be borne for and entitled to Wages on the Books of the first Ship in which he shall serve as Part of the Complement thereof or as a Supernumerary for Wages: Provided always, that it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom for the Time being, in Cases where they shall see necessary, to authorize the Payment from Time to Time of such Advance to Supernumeraries and others who may have entered themselves for His Majesty's Naval Service, after the Ship on board which they shall be serving shall have proceeded to Sea; and in case, through urgent Necessity of the public Service, the Ship shall have proceeded to Sea before Payment of the Advance can have been conveniently made, then the same shall be paid as soon as may be on the Ship's Arrival in any Port where there shall be an Establishment of Clerks of the Treasurer of the Navy.

Admiralty may order Advance in certain Cases.

Monthly Pay.

III. And be it further enacted, That from Time to Time, under such Authority as His Majesty in Council hath been or shall be pleased to direct, a certain Portion of the Pay due to such Warrant and Petty Officers (not entitled to draw Bills for their Pay as hereinafter provided), and also to such Seamen and others as may be desirous of receiving it, shall be issued to them at the Expiration of every Month, or as soon after as the Convenience of the Service will admit, on the Ship's Arrival, at Home or Abroad, where Money can be procured, in such Proportions *per* Month as hath been or shall be for that Purpose directed by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being;

being; and to this end the Captain shall make out a complete List of the Names of the Men, with their respective Numbers on the Ship's Books, who shall be so desirous of receiving a Portion of their Pay, and who shall be actually on board at the Time of making out such List, which shall be signed by the Captain and proper signing Officers of the Ship; and that the Purser shall then draw, for the Amount of the said Portion of Pay so to be issued, a Bill of Exchange at Three Days Sight upon the Commissioners of the Navy, in the accustomed Form, or such other Form as shall be for that Purpose supplied to the Ship, which Bill shall be certified by the Captain, and shall be, when presented at the Navy Office, assigned for Payment to be made by the Treasurer of the Navy, and the Amount thereof shall be charged against the Purser; and so soon as Cash shall have been obtained by the Purser by the Negotiation of such Bill, the allowed Portion of the Pay shall be paid by the Purser to the Parties, in the Presence of the Captain and a Commission or Warrant Officer entitled to draw Bills, each of whom, with the Purser, shall certify the Payment on the List; and the Captain shall, by the first safe and convenient Opportunity after such Payment, transmit the said List to the Commissioners of the Navy; and the Captain and Purser shall likewise certify at the End of each Muster Book the full Amount, in Words at Length, of the Monies which shall have been so paid during the exact Period of Time of such Book, and that the several Sums so paid have been therein duly charged against the respective Persons so paid; and in case there shall be any Balance of Money left in the Purser's Hands, he shall give Credit for the Amount in the next Bill to be drawn by him for monthly Payments, so that he shall not be at liberty to draw for more than what, including such Balance and any Premium to be obtained on the Bill, shall be sufficient to answer the next monthly Payment.

Absent Men.

IV. And be it further enacted, That in case any such Person shall be absent with sufficient Cause at the Time of such Payment, his Name, on his Return to the Ship, shall be subjoined to the next Lists to be made out, in which the Cause and Dates of his Absence and Return shall be specified; and in case any Individual shall be discharged to another Ship, being then entitled to any Payment not made, the Captain of the Ship he leaves shall give him a Certificate specifying his Rating and the Time for which he shall be entitled to such Portion of Pay, which shall be paid to him at the next Payment to be made to the Crew of the Ship to which he shall be discharged.

Payments when no Purser is on board.

V. And be it further enacted, That in case of any such Payment being made on board a Ship which shall not have a Purser on board, the Commanding Officer shall act as and be deemed to be the Purser for all the Purposes of such Payments; and in such Case the Payment shall be made by him in the Presence of any other Commissioned Officer of the Ship and One Warrant Officer, or if there shall be no other Commissioned Officer, then in the Presence of any Two Warrant Officers, who shall certify and attest the Lists in the Manner before required.

VI. And

Premium on Bills.

VI. And be it further enacted, That at the Foot of each Bill the Course of Exchange shall be truly certified by Two resident Merchants at the Place where the Bill shall be drawn; and the Purser or Commanding Officer, as the Case may be, shall debit himself and be charged with any Premium which such Bills may bear, as Part of the Balance remaining on hand at the Conclusion of each Payment; and in case the Bill shall be at a Discount, he shall add the Discount to the Amount of the Bill to be drawn, which Discount shall be allowed in his Accounts, if the Amount be truly certified at the Foot of such Bill: Provided nevertheless, that if the said Bills shall be drawn at any Port within the Foreign or Colonial Territories of *Great Britain* where there shall be a resident Naval Officer, such Naval Officer is hereby enjoined and directed to give Cash for the Amount of such Bills at Par, upon which no Premium or Discount shall be charged or taken; and in case he shall not have sufficient Cash in hand for the Purpose, he shall certify the same by Indorsement on such Bill; or if the Ship shall be at a Port where there shall be an Establishment of Clerks of the Treasurer of the Navy, the Bill to be drawn, certified and attested as aforesaid, shall be cashed by such Clerks out of the public Monies in their Hands, and the Amount thereof charged against the Drawer in manner aforesaid.

Naval Officer or Treasurer's Clerks to cash Bills.

Men turned over to be paid by Pay Lists.

VII. And be it further enacted, That whenever any Petty Officer, Seaman, or Marine shall be turned over from one Ship to another, in any Port of the United Kingdom or on the Coast thereof, he shall on the Arrival of the Ship to which he shall be removed at any Port where there shall be an Establishment of Clerks of the Treasurer of the Navy, and before such Ship shall proceed to Sea, be paid all the Wages due to him upon or by Pay Lists (being Extracts from the Muster Books in the Form heretofore accustomed, or in such other Form as shall be found requisite, and as shall be directed by due Authority,) made out and signed by the Captain and proper signing Officers of the Ship from which he shall be turned over, save and except in urgent Cases, when the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral for the Time being shall otherwise direct, and in such Cases he shall be paid whenever the Ship shall return to any Port where there shall be a Commissioner or other authorized Officer of the Navy to controul such Payment: Provided always, that no Petty Officer or Seaman who shall be turned over from one Ship to another shall be rated in a lower Degree than that in which he was rated in the Books of his former Ship.

No Person to be rated lower when turned over.

Foreign Remove Ticket.

VIII. And be it further enacted, That in case the Ship to which any Person shall be so turned over shall be then Abroad, the Captain shall, previous to his Removal, cause to be made out in the usual Form, or in such other Form as shall be authorized by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral, a Ticket, to be called a Foreign Remove Ticket, containing the Name, Age, Stature, and Complexion of the Party, the Date of his Entry and Discharge, his Number on the Ship's Books, the Particulars of all Slops and other Charges against his Wages, (the total

Amount of which shall be written in Words at Length,) and the Name of the Ship to which he shall be so turned over, which Ticket shall be signed by the Captain and the other proper signing Officers of the Ship, and then be delivered to the Party, to enable him to receive Payment of his Wages conformably with the established Regulations of the Navy.

Sick Ticket to be sent with Men sent to Sick Quarters.

IX. And be it further enacted, That when any Petty Officer, Seaman, or Marine shall be sent sick to any Hospital or Sick Quarters at Home or Abroad, a Ticket, to be called a Sick Ticket, shall in like Manner be made out by the Captain and sent with him, which, in addition to the Particulars to be contained in the Foreign Remove Ticket, shall describe the different Effects which shall be sent with him, and his Disorder or Infirmity, and shall be addressed to the Surgeon or Agent at such Hospital or Sick Quarters; and upon his being thence discharged back to his own Ship, he shall leave the Ticket with the said Surgeon or Agent; but if discharged to any other Ship not to rejoin his own Ship, the said Ticket shall be sent with him, and be paid conformably with the established Regulations of the Navy; and in case he shall be discharged from the said Hospital or Sick Quarters as unserviceable, a Certificate of his Discharge shall be delivered to him with the said Sick Ticket, to enable him to receive his Wages, and in the meantime he shall be maintained and subsisted either in such Hospital or on board some Ship of His Majesty, or otherwise, as shall be found convenient: Provided always, that all Petty Officers, Seamen, and Marines who shall be wounded in Action with the Enemy shall receive the full Amount of their Wages and Allowances until their Wounds shall be healed, or, if declared incurable, until they shall receive a Pension or be admitted into the Royal Hospital at *Greenwich*; but no other Petty Officers, Seamen, or Marines who shall be discharged from Hospitals or Sick Quarters at Home, either to a Ship or from the Service, shall be allowed Wages for more than Thirty Days of the Time they shall remain in such Hospital or Sick Quarters.

Wounded Men to receive Pay till cured or pensioned.

Discharge of unserviceable Men.

X. And be it further enacted, That when a Petty Officer, Seaman, or Marine shall, by Wounds or Infirmity, be disabled or rendered unserviceable, the Captain shall represent the same to the Commander-in-Chief or senior Officer, who shall cause the same to be inquired into by a Survey, according to the Practice of the Navy; and if, upon such Survey, such Petty Officer, Seaman, or Marine shall be found unfit for further Service, he shall be discharged, and the Captain shall thereupon make out and sign in the usual and authorized Form a Ticket, to be called an Unserviceable Ticket, for the Wages due to such unserviceable Man; or if the Ship shall not be in any Port of *Great Britain*, nor on the Coast thereof, and shall not belong to any Squadron of Ships, or shall be separated from the Commander-in-Chief of any Squadron to which such Ship shall belong, then the Captain, being, upon the usual Survey, satisfied of such Disability, shall discharge such Person, and shall make out such Ticket as aforesaid, which he shall sign and cause to be signed by the proper signing Officers, and then deliver to him, together with a Certificate of his Discharge, containing a Description of his Person, to enable him to receive

receive his Wages: Provided always, that every such Person so discharged unserviceable (if discharged Abroad), and being sent on board any other of His Majesty's Ships for a Passage Home, shall be borne on the Books of such Ship for Wages and Victuals to the Date of her Arrival at any Port of *Great Britain* where there is a resident Commissioner of the Navy; and until the Payment of his Wages he shall be subsisted in some One of His Majesty's Ships either in Commission or in Ordinary, or at the nearest Naval Hospital, as shall be found most convenient.

Passage Home for unserviceable Men.

XI. And be it further enacted, That in case there shall be no Opportunity of a Passage by a King's Ship, every Man so discharged Abroad, either from a Ship or from any Hospital or Sick Quarters, shall be sent Home by the first Convenience of a Merchant Vessel, the Master of which is hereby required to afford a Passage to and subsist all such Men, not exceeding Four Men for every One hundred Tons Burthen of his Ship, for which such Allowance *per* Day shall be made as shall be authorized by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral for the Time being, except in Cases when the Man so discharged shall perform the Duty of One of the Crew of the Vessel, and for which he may be entitled to receive Wages from the Owner; and if he shall not have received or be entitled to any Wages or Consideration for Services on board thereof, the Master of such Vessel is hereby required to make out and deliver to him a Certificate to that Effect, specifying the Day of his Entry on board the Vessel and of his Arrival in *England*, to entitle him to receive Wages to that Period as an Invalid; and every Master who shall refuse to afford a Passage to and subsist, or to furnish such Certificate to, any such discharged Man, shall forfeit and pay the Sum of Fifty Pounds in respect of each and every such Man whom he shall refuse to afford a Passage to, subsist, or furnish a Certificate to as aforesaid; and every Collector of the Customs or Excise in any Part of the United Kingdom, where there shall be no Commissioner of the Navy, upon the Application of any such discharged Person, and on the Production of his Ticket and Certificate of Discharge, and also (in case he shall have received no Wages or other Consideration for his Services in any Vessel on board which he shall have arrived) of a Certificate to that Effect from the Master of the Vessel, shall and he is hereby required to receive such Ticket and Certificate, and shall require from the Master of the Vessel in which the Party shall have come Home, or from some respectable Inhabitant of the Place, a Certificate of the Identity of the Party, and being satisfied in every respect shall give such Party a Receipt for the Ticket and Certificate, and transmit the same forthwith, with the Party's Address, to the Commissioners of the Navy, in order that when due Examination shall have been made therein a Remittance Bill, as herein-after mentioned, may be forwarded to such discharged Person, to enable him to receive the Wages due to him.

Dead Ticket.

XII. And be it further enacted, That when any Petty Officer, Seaman, or Marine shall die in the Service of His Majesty, the Captain of the Ship to which he shall belong shall thereupon make out a Ticket in the usual and authorized Form, to be called a Dead Ticket,

Ticket, for the Wages due to the Deceased for his Service on board the same, which Ticket, after having been signed by the Captain and the proper signing Officers of the Ship, shall be transmitted by the Captain to the Commissioners of the Navy, in order that Payment thereof may be made to the legal Representative of the Deceased; and if the Deceased shall have left on board the Ship any Clothes or other Effects, a List shall be made thereof by the Purser, and the Captain shall cause the same to be publicly sold at the Mast, under the Inspection of the Purser, as soon as may be thereafter, and the Sums for which the same shall be sold shall be charged in the Ship's Books against the Wages of the respective Purchasers, but no Person shall be allowed to purchase beyond the Amount of the net Wages then due to him; and the Purser shall make out an Account specifying the Articles sold, the Names of the Purchasers, and the Prices at which they were purchased, which Account shall be signed by the Captain and Purser, and be transmitted to the Commissioners of the Navy, annexed to the Dead Ticket herein-before mentioned; and in case the Deceased shall not have left any Clothes or Effects, the Captain shall certify on the Dead Ticket to that Effect; and in consideration of the Allowance made by the established Regulations of the Navy to the Purser for his Trouble in the Disposition of the Effects, he shall be held responsible, as well to the Public as to the Representatives of the Deceased, and be answerable out of his Pay and Allowances for any Omission, Error, or Loss that shall arise through his Neglect: Provided always, that nothing herein contained shall extend to exempt the Captain from any Liability or Responsibility to which he may by this Act, or by the Regulations of His Majesty's Naval Service, be subject, for Errors in Tickets, Certificates, or other Documents issued by him or under his Authority.

Clothes of deceased Men.

XIII. And be it further enacted, That when any Petty Officer, Seaman, or Marine shall be promoted Abroad to any Rank above the Rank of Petty or Non-commissioned Officer, the Captain shall cause to be made out and delivered to him a Ticket in the usual and authorized Form, to be called a Promotion Ticket, for the Wages due to him, certifying that he has been actually promoted to the Station therein mentioned, which Ticket shall consist of the same Particulars as are prescribed in regard to Foreign Remove Tickets, and shall be transferrable by Indorsement of the Party in whose Favour it is made out, and shall be payable to the Indorsee thereof.

Promotion Ticket.

XIV. And be it further enacted, That no Ticket herein directed to be made out, save and except the Promotion Ticket, shall be saleable or transferrable on any account, but shall, after having been examined at the Navy Office with the Muster Book of the Ship or other Returns, if received, be paid to the Party only to whom the same is made out; provided the Commissioners of the Navy shall be satisfied that the Ticket is genuine, and that the Party presenting the same is the identical Person to whom it is made out.

No Ticket, except the Promotion Ticket, to be transferrable.

XV. And be it enacted, That all Tickets, Certificates, Pay Lists, and other Vouchers for Wages to be made out as aforesaid, shall be in the Forms heretofore established and now in use in His Majesty's

Forms of Tickets, &c.

Naval Service, or in such other Forms as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being, or, under their Authority, the Commissioners of the Navy, shall from Time to Time authorize; and if any Officer or other Person shall make out, sign, or issue any Ticket, Certificate, Pay List, or other Voucher or Document for Wages, other than in the Form and under the Regulations herein prescribed, every Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds, and if belonging to His Majesty's Naval Service shall moreover be liable to such Punishment and Forfeiture of Wages as a Court-martial shall adjudge.

Penalty for issuing Tickets contrary to the Act.

XVI. Provided always, and be it further enacted, That in case any Ticket herein directed to be made out (except a Promotion Ticket) shall happen to be lost or destroyed, or if the Party to whom the same shall be payable shall not appear in Person and present the same as aforesaid, or if the Wages due thereon shall not be paid before the general Payment of the Ship's Company, then and in any such Case all such Wages shall become payable to the Party, his Executors or Administrators, in the same Manner as if such Ticket had not been made out; and such Ticket, if the same shall be forthcoming, shall be cancelled.

In case of Ticket being lost or not paid.

XVII. Provided also, and be it further enacted, That in case the Muster or Pay Books of any Ship shall not have been regularly transmitted to or received by the Commissioners of the Navy, yet Payment of the Tickets, Certificates, or Pay Lists before mentioned shall not on that Account be delayed; and in case any Error to the Detriment of the public Treasure shall be made on any Ticket, Certificate, or List directed by this Act to be made out, the Amount of the Loss (if any) arising thereby shall be made good out of any Wages or Pay due or to grow due to the Officer by whom or under whose Directions the same shall have been made out; and the Purser, in case he shall have signed the same, shall be disallowed the Amount of Slops and other Charges for which he is responsible.

Payment not to be delayed for Want of Books.

Officer to be responsible for Errors.

XVIII. And be it further enacted, That out of all Supplies to be granted by Parliament for Naval Services, the necessary Sums of Money shall first be appropriated, issued, and applied for the regular and punctual Payment of the Wages and Pay of the Officers and Seamen of the Royal Navy, in manner following; (that is to say,) that when any of His Majesty's Ships shall have been in Sea Pay Twelve Calendar Months or more, and shall be or arrive in any Port of *Great Britain*, or on the Coast thereof, the Captain of such Ship shall cause to be made out the requisite perfect Pay Book or Books, with an alphabetical Index to each, and an open List for the whole of the Officers and Crew thereof, for all the Time the Ship shall have been in Sea Pay and unpaid, except for the Period of the last Six Calendar Months, up to the Commencement of which last-mentioned Period the Wages due are hereby intended to be cleared, and shall forthwith transmit to the Navy Board such Pay Books, Indexes, and open Lists, with a Slop Book; and so soon as such Ship shall be or arrrive in any Port of *Great Britain* where any Commissioner of the Navy shall be

Regulations as to Payment of Ships.

or reside, and so soon as Money shall have been issued for the Payment of the Ship, and the said Books shall have been prepared and transmitted to the Navy Office, and duly examined, (for which sufficient Time shall be allowed,) the Commissioners of the Navy shall cause Payment to be made of all the Wages due on the said Pay Books, abating therefrom whatever Charges shall stand in the said Books against any of the Officers and Crew, either in respect of Advance, Slops, Tobacco, or other Things, or on account of Desertion, Absence from the Ship, or of any Defalcation whatsoever, leaving always Six Months Wages in arrear and unpaid over and above the Wages accruing to the Time during which the said Books shall have been preparing and examining; and whenever any Ship shall return Home in order to be laid up, all the Wages due for such Ship shall be entirely paid off as soon afterwards as may be.

Payment at Ports where there is no Commissioner.

XIX. Provided always, and be it enacted, That it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being, if they should deem it expedient so to do, to cause any of His Majesty's Ships to be paid at a Port where there shall not be any Commissioner of the Navy resident, and in every such Case the principal Officers and Commissioners of the Navy shall, upon receiving Directions in Writing for that Purpose, take the necessary Steps for causing Payment to be made accordingly by the Clerks to the Treasurer of the Navy, in the usual Manner, in the Presence of a Commissioner of the Navy to be sent thither, or in the Presence of an Officer of the Navy not under the Rank of Commander, to be appointed by the said Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral to superintend and controul such Payment; and that all Payments made in the Presence and under the Superintendence of such Officer of the Navy shall be held as good and valid.

As to Seamen absent when a Ship is paid.

XX. And be it further enacted, That in Cases where Petty Officers, Seamen, or Marines may happen to be absent, either upon Duty or sick, or with Leave of the Commanding Officer, at the Time of the Payment of the Ship, the Commissioners of the Navy, upon Application from any such Person so absent and then being in His Majesty's Service, or from his Captain, in case the Ship shall be in any Port where a Commissioner of the Navy shall be or reside, shall cause the Pay Books of such Ship, or Extracts therefrom for such Persons, to be forwarded without Delay to the Commissioner of the Navy at the Port where such Ship shall be, in order that Payment may be forthwith made to him thereon.

In urgent Cases Payment may be made before Pay Books are examined.

XXI. And whereas it may be expedient to pay the Crews of Ships on their Arrival in Port, or previous to sailing from thence, under Circumstances which will not admit of the Delay which must necessarily occur in previously sending the Pay Books to the Navy Office to be examined; be it therefore further enacted, That it shall be lawful for the Commissioners of His Majesty's Navy, in Cases of Urgency, as they shall see necessary, to cause Payment to be made upon such Books without the previous Examination thereof as aforesaid; but it is nevertheless hereby required and directed that the said Books

Books shall, immediately after Payment shall have been so made thereon, be transmitted to the Navy Office, for the Purpose of undergoing the necessary Examination and Adjustment, and in order that any Charges omitted to be made, or any Over-payments that may have occurred thereon, may be set off or abated or recovered at the first Opportunity from the Arrears of Wages or growing Wages of the Men in respect of whom such Omissions or Over-payments may have taken place.

Deserters to forfeit their Wages.

XXII. And be it further enacted, That if any Officer, Seaman, or Marine shall desert from His Majesty's Service, he shall thereby lose and forfeit all Wages, Prize Money, and other Allowances, Benefits, and Advantages to which he would otherwise have been entitled, as well in respect of his Services in the Ship from which he shall have deserted, as of those in all former Ships in which he may have served; and no Person against whose Name the Letter (R) shall be placed in the Muster Book of the Ship as denoting a Deserter shall, while such (R) so remains, be entitled to receive his Wages, Prize Money, or other Allowances: Provided always, that it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being, in such Cases as they shall deem fit, to order the (R) placed against the Deserter's Name in the Books of the Ship to be removed, and to authorize the Payment of the Wages, Prize Money, or other Allowances due to him.

Admiralty may authorize the Payment of Wages in certain Cases.

Officers on Appointment to receive Arrears of Half Pay;

XXIII. And be it further enacted, That it shall be lawful for any Commission or Warrant Officer, on being appointed to any Ship of His Majesty in Commission, he being entitled to Half Pay, and there being no Imprest standing against him, upon Application to the Commissioners of the Navy, and on the Production of the Affidavit usually required from Half Pay Officers, and a Certificate of the Date of his commencing Sea Pay, to receive the Arrears of Half Pay which may be due to him up to that Date; and every such Officer who shall have been on Half Pay for Three Months next before his Appointment to any Ship, and shall have no Imprest outstanding against him, shall, on joining his Ship, upon like Application to the said Commissioners, be entitled to receive the Amount of Three Months personal Sea Pay in advance: Provided always, that in case any such Officer shall be again put on Half Pay, from any Cause whatever, before the Expiration of Three Lunar Months from the Time of such Appointment to a Ship, the Amount of the Three Months Wages so paid to him in advance, or for such Part of the Time as he shall not serve shall be placed as an Imprest against his future Half Pay.

of Three Months Full Pay in advance.

Proviso as to Officers again put on Half Pay.

Officers, not having Accounts to pass, allowed to draw Bills for Full Pay.

XXIV. And be it further enacted, That it shall be lawful for every Flag Officer, Commission Officer, Master, (such Commission Officer or Master not being in the Command of a Ship, or not having Accounts to pass,) Secretary to a Flag Officer or Commodore, Physician, Chaplain, Second Master, and Assistant Surgeon (not acting as Surgeon), who shall be actually in the Naval Service of His Majesty, and entitled to Full Pay in the Fleet, at the Expiration of every Three, Six, or Twelve Lunar Months, or of any longer Period, to draw a Bill of Exchange, or a Set of Bills of the same Tenor and Date, upon the Commissioners of

of His Majesty's Navy for the net Balance of the personal Wages due to him, which Bill or Set of Bills shall be made payable to himself or to his Order at Ten Days Sight, and shall state the Rate or Description and Name of the Ship to which he shall belong, and his Station or Rank on board the same, and also the full Amount of the personal Wages then due to him, and the Period for which the same accrued, together with the Amount of such Charges and Deductions as shall appear on the Ship's Books against him, and the net Residue of the personal Wages due to him, for which Residue and no more the Bill shall be drawn.

Certain Officers to draw for 3-4ths only. As to Petty Officers.

XXV. And be it further enacted, That it shall be lawful for every Captain, Lieutenant, or Master commanding a Ship, Surgeon, Purser, and Assistant Surgeon acting as Surgeon, to draw Bills of Exchange, in like Manner and under similar Regulations, for Three Fourths, and no more, of their net personal Pay; and that it shall also be lawful for every Mate, Midshipman, and Master's Assistant who shall have passed his Examination for a Lieutenant, Master, or Second Master respectively, and for every Schoolmaster, Secretary's Clerk, and Captain's Clerk, to draw Bills, in like Manner and under similar Regulations, at the End of every Six or Twelve, but not for a shorter Period than Six Lunar Months, for the net personal Pay due to him: Provided always, that no Person allowed by this Act to draw Bills periodically, who shall have received Three Months Advance, shall be permitted to draw any such Bill for the first Three Months after he shall have joined his Ship.

Officers sent to Sick Quarters may draw Bills for Pay due.

XXVI. And be it further enacted, That it shall be lawful for every Commission Officer, Master, Secretary, Physician, Chaplain, Surgeon, Purser, Second Master, and Assistant Surgeon, who shall be sent to a Hospital or Sick Quarters, to draw a Bill of Exchange upon the Commissioners of the Navy for the Pay or Proportion of Pay, as by this Act allowed, that may be due to him on the Day of his being discharged to Sick Quarters: Provided always, that every such Bill, in addition to the Certificate and Approval hereafter mentioned, shall be accompanied by a Certificate indorsed thereon, under the Hand of the Medical Officer superintending the Hospital or Sick Quarters to which such Officer shall have been so discharged, of the Day on which he was received into the same.

Extracts of Particulars from Ship's Book to accompany Officers to Sick Quarters.

XXVII. And be it further enacted, That when any such Officer shall be sent to Sick Quarters, there shall be made out, and he shall take with him, a perfect Extract from the Books of the Ship, containing all the Particulars therein entered relating to such Officer; and upon his Discharge from Sick Quarters the Medical Officer superintending such Sick Quarters shall certify on the Back of such Extract the Period he shall have been therein, and the Day of his Discharge therefrom, to enable him to receive the Balance of his Pay in case he shall not be discharged back to his Ship.

Officers discharged or removed to take Extracts with them.

XXVIII. And be it further enacted, That whenever any such Officer shall be discharged, superseded, or removed from one Ship to another, having less than Three Months Pay due to him, he shall take with him a similar Extract, to enable him to draw for his Pay at the Expiration

Expiration of Three Months from the Date of his last Bill, in which Bill so to be drawn the Periods of his Service in each Ship for which Pay shall be due shall be distinguished.

The Manner in which quarterly Bills shall be certified and approved.

XXIX. And be it further enacted, That every Bill for personal Pay to be drawn as aforesaid (save and except those drawn by Flag Officers, Commodores, and Captains,) shall be certified and approved as follows; every Bill to be drawn by a Commission Officer (not commanding a Ship), Master, Chaplain, Surgeon, Second Master, Assistant Surgeon, passed Mate, passed Midshipman, and passed Master's Assistant, Schoolmaster, and Captain's Clerk, shall be certified by the Purser, and approved by the Captain; every Bill to be drawn by a Secretary to a Flag Officer or Commodore shall be certified by the Purser, and approved by the Flag Officer or Commodore; every Bill to be drawn by a Physician of a Fleet shall be certified by the Purser, and approved by the Commander-in-Chief of the Fleet; every Bill to be drawn by a Purser shall be certified by the Master, and approved by the Captain or Commanding Officer; every Bill to be drawn by a Commanding Officer, acting as Purser, shall be also certified by the Master or acting Master; and every Bill to be drawn by a Secretary's Clerk shall be certified by the Purser, and approved by the Secretary; and the Officer by whom any Bill shall be approved shall be held responsible that the Party drawing the Pay has been borne for Pay during the Period for which the Bill is drawn, and is entitled to draw such Bill, and that the Purser hath previously certified his Right to draw for the Sum mentioned in the Bill; and the Purser or Officer certifying shall also be held responsible for the Correctness of his Certificate to the Bill.

Approving Officers made responsible.

Penalty for drawing for more Pay than due.

XXX. And be it further enacted, That if any Officer authorized to draw a Bill as aforesaid shall knowingly and fraudulently draw any such Bill for Pay when there shall not be Pay to the Amount so drawn for due and owing to him, every Person so offending shall forfeit all Pay and other Allowances to which he shall be then entitled, and moreover, upon being convicted thereof by Court-martial, shall be cashiered, and rendered thereafter incapable of holding any Office, Civil or Military, in His Majesty's Service: Provided always, that no Officer whose Duty it shall be, according to the Rules of the Service, to transmit any Logs, Journals, Returns, or other Documents, either to the Admiralty Office or to the Navy Office, shall be entitled to receive any Pay that may be due at the Time of his Discharge, or any Half Pay afterwards to accrue due, until he shall have duly transmitted such Logs, Journals, Returns, or other Documents, or unless he shall have obtained a dispensing Order for that Purpose from the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being.

No Officer whose Duty it is to transmit Logs, &c. shall be entitled to be paid until the Logs, &c. are produced.

Officers having passed their Accounts to be entitled to general Certificates negotiable.

XXXI. And be it further enacted, That whenever any Officer who is required to pass Accounts to entitle him to the Balance of his Pay shall have cleared his Accounts for the Period during which he shall have been on Full Pay, to the Satisfaction of the Commissioners of the Navy and Victualling respectively, and in the Manner in which Accounts are required to be passed, he shall be entitled to a Bill usually called a General Certificate, specifying the net Balance due

to him, which shall be payable by the Treasurer of the Navy, and be negotiable like other Bills.

Allotments.

XXXII. And be it further enacted, That it shall be lawful to and for every Boatswain, Gunner, Carpenter, Petty Officer, (not entitled to draw Bills for Pay,) Seaman, Landman, (Boys excepted,) and Non-commissioned Officer and Private of Marines, being Part of the Complement of a Ship, or borne on the Books as a Supernumerary for Wages and Victuals, to make an Allotment of a certain Portion, not exceeding One Moiety, of the monthly Wages to which he may be entitled while such Allotment shall continue in force, and which shall be calculated so as to avoid Fractions of small Sums in the Payment thereof, and that such Allotments shall and may be made in favour or for the Maintenance of the following Relatives only, (that is to say,) Wife, Father, Mother, Child or Children being under the Age of Fourteen Years or labouring under any bodily Infirmity; which Allotments shall be made according to the Forms and in the Manner heretofore used in the Royal Navy, or in such other Form and Manner as shall by the Commissioners of the Navy be deemed best adapted to answer the Intentions of this Act; and that all the Monies which shall hereafter be allotted shall, at the Expiration of every Calendar Month, (the first Payment to be reckoned from the First Day of the Month subsequent to the Date of the Declaration of Allotment, and not to include the Period between that Date and the First of the ensuing Month,) be paid to the Parties entitled to receive the same; but that no Payment shall be made at any One Time for a shorter Period than a Calendar Month, and that whenever any Increase or Decrease shall take place in the Rate of Allotment by Promotion, disrating, or otherwise, Payment of the same shall commence from the ending of the last preceding Payment.

Captain to cause Declarations of Allotment to be made out.

XXXIII. And be it further enacted, That whenever any Person entitled to make an Allotment shall declare his Intention so to do, the Captain shall cause such Person to subscribe his Name or Mark to a Declaration or to a List of Declarations for that Purpose, which the Captain shall sign and cause to be signed by the signing Officers of the Ship, and then transmit to the Commissioners of the Navy, in order that they may take the necessary Measures for causing Allotment Bills to be made out thereon, and Payment to be made of the Portion of Wages so allotted; and the Captain shall also cause to be noted in the Muster Book, against the Names of such Persons, the Date of the making of such Allotments; and in case any Person having made an Allotment shall desert, die, or be discharged sick, or otherwise, the Captain shall notify the same to the Commissioners of the Navy without Loss of Time for their Guidance; and to the like end, every Agent of a Hospital or Sick Quarters to which any such Person shall be sent shall make a periodical Return of all such to the said Commissioners in a Form to be furnished to him for that Purpose; and if any such Person shall die at or desert from such Hospital or Sick Quarters, the Date of his Death or Desertion shall also be returned; and in case any Captain or Agent shall make Default therein, he shall be liable to make good out of his Pay any Loss that shall accrue to the Public thereby.

XXXIV. And

Allotment Bills to be made out.

Payment.

XXXIV. And be it further enacted, That the Allotment Bill, to be made out in Duplicate at the Navy Office, shall be made payable by the Treasurer of the Navy, and by the respective Collectors of the Customs and Excise of the United Kingdom, and that one of such Duplicates shall be transmitted to the Party entitled to receive thereon, and the other Duplicate to the Treasurer of the Navy or his Clerk, or to the Officer of the Revenue who is to pay the same, as the Case may be; and that upon the Production by the said Party of such Duplicate, together with a Certificate under the Hands of the Minister and Churchwardens or Elders of the Parish or Place where such Party shall reside, that he or she is the Party mentioned in the Allotment Bill, and on due Proof, in the Case of a Wife, of her Marriage with the Person making the Allotment, and the Treasurer's Clerk or Officer of the Revenue being satisfied of his or her Identity, the Monies thereby allotted shall be paid to such Party upon his or her Receipt, to be signed in the Presence of and to be attested by the Officer or Clerk making Payment thereof, who shall also mark thereon the Number of the Allotment Bill, and shall note on the Back of each Duplicate of the Bill the Date and Amount of each Payment, and the Time from and to which the same became payable.

If the Wife of any Person by whom an Allotment has been made shall die, or desert her Family, &c. Payment may be stopped, or made to some other Person.

XXXV. And be it further enacted, That in case the Wife of any Person so making an Allotment shall happen to die, or shall desert her Children, or so misconduct herself as to be considered undeserving of Support from her Husband, it shall be lawful for the Commissioners of the Navy in any of such Cases, upon a Certificate to that Effect under the Hands of the Minister and Churchwardens or Elders of the Parish or Place where such Wife shall have been resident, to stop further Payments on such Allotment Bill; and if such Wife shall have left any Child or Children of the Party who shall have made the Allotment, it shall be lawful for the said Commissioners, in case such Child or Children shall have no other Provision for Maintenance, upon a Certificate to that Effect from the Minister and Churchwarden or Elders of the Parish or Place where such Child or Children shall have been left, to revoke the Allotment Bill so payable to the Wife, and to make out another Bill to any Person, being resident there, as the said Minister and Churchwardens or Elders shall recommend to receive the Money so allotted, to be applied to the Support and Maintenance of such Child or Children.

Allotments may be revoked by the Person making the same;

XXXVI. And be it further enacted, That if any Person who shall have made an Allotment as aforesaid shall be desirous of revoking the same, and shall signify his Desire so to do and his Reasons for so doing to his Commanding Officer, such Officer shall communicate the same to the Commissioners of the Navy; and it shall be lawful for the said Commissioners, if they shall be satisfied with such Reasons, forthwith to stop further Payments upon the Allotments so revoked, and to cause a fresh Allotment Bill to be made out, if the Circumstances shall require it.

XXXVII. And

or by Commissioners in Cases of Death or Desertion.

XXXVII. And be it further enacted, That whenever it shall appear to the Commissioners of the Navy, by the Muster Book or by any other Return from the Ship or from the Hospital or Sick Quarters, that any Person who has made an Allotment shall have died, deserted, or by any other Means have ceased to be entitled to Wages, it shall be lawful for the said Commissioners to call in and revoke the Allotment made by any such Person, and from thenceforth all Payment thereon shall cease.

Notice of Death of Parties entitled to receive Payment of Allotment.

XXXVIII. And be it further enacted, That so soon as it shall come to the Knowledge of the Minister or of any Churchwarden or Elder of the Parish that any Person resident therein and entitled to receive Payment of an Allotment Bill is dead, such Minister, Churchwarden, or Elder shall immediately give Notice thereof by Letter to the Commissioners of the Navy, or to the Officer of the Revenue, or Clerk to the Treasurer of the Navy, by whom such Allotment is payable, who shall immediately indorse the Date of the Receipt of such Notice upon such Allotment Bill, and transmit the same to the Navy Office, and from that Time all Payments thereunder shall be discontinued.

Payments of Allotments made by Collectors of Customs and Excise to be refunded every Three Months.

XXXIX. And be it further enacted, That at the Expiration of every Three Calendar Months, but not oftener, the Collectors of the Customs and Excise by whom any Payments of Allotments shall have been made shall transmit to their respective Boards, to be forwarded to the Commissioners of the Navy, an Account, containing in numerical Order, as the Allotment Bills are numbered, the Numbers and Dates of the Bills, the Names of the Parties making the Allotment, the respective Sums and Periods for which the Payments are made, the Amount of Payments made by each Collector, and the total Amount of the Payments made during the Quarter, which Account shall be accompanied by the Receipts of the Parties to whom the Allotments shall have been paid, and the Certificates upon which Payments shall have been made; and so soon as such Account shall have been examined and found correct, the said Commissioners shall cause the necessary Measures to be taken for the Repayment, by the Treasurer of the Navy, of the Amount, or of so much as shall be payable, to the respective Boards of Customs and Excise; and similar Measures shall be adopted for the Repayment to the said Boards respectively of Monies which shall be paid by any such Revenue Officers upon Remittance Bills to be made out as herein-after provided.

Foreign Remittance Bills.

XL. And be it further enacted, That whenever a Ship, not being in any Port of the United Kingdom, or on the Coast thereof, shall have been Twelve Calendar Months in Sea Pay, and so from Time to Time at the End of every Six Months, the Captain shall, at the next subsequent Muster of the Ship's Company, cause to be read over the Names of the Petty Officers, Seamen, Non-commissioned Officers and Privates of Marines, and cause each to answer to his Name; and if any of them who shall not have made any Allotment of their Pay shall thereupon declare their Desire that the Whole or any Part of the Pay which shall then be payable to them, excepting always for the

last Six Months, shall be paid either to a Wife, Child or Children above the Age of Eighteen Years, Father, Mother, Grandfather, Grandmother, Brother, or Sister, the Captain shall cause to be made out and transmitted to the Commissioners of the Navy a List of such Persons, containing their Names, their Numbers on the Ship's Books, and the Names and Residence of the Parties to whom they shall desire the same to be paid; and upon the Receipt of such List the said Commissioners shall cause the requisite Steps to be taken for making out the necessary Remittance Bills in the Form heretofore used, or in such other Form as shall be found most convenient, to be signed by a Commissioner of the Navy, and to be addressed to the same Persons and in the same Manner as Allotment Bills are by this Act required to be addressed.

Remittance of Wages payable.

XLI. And be it further enacted, That every Warrant Officer not authorized to draw Bills, and every Petty Officer, Seaman, Non-commissioned Officer, or Marine, entitled to the Payment of any Wages, or the Wife of any such Warrant Officer (being legally empowered to receive her Husband's Wages), shall, if present at the Place where such Wages are paid, be at liberty in like Manner to make a Remittance thereof, or of any Part thereof, to any Person within the United Kingdom, or if not present, but resident more than Seven Miles from the Place of Payment, shall, upon transmitting to the Commissioners of the Navy a regular Certificate of Discharge from the Service, or other satisfactory Proof of Identity, be entitled to a Remittance Bill (but payable to the Party only) in any Part of His Majesty's Dominions where Naval Payments are usually made; and that Payment may in like Manner be made to the Executors and Administrators of any such deceased Warrant Officer, if they shall desire it: Provided always, that in the Absence of a Commissioner of the Navy comptrolling the Payment of Wages at any of the Ports where there shall be an Establishment of Treasurer's Clerks, it shall be lawful for the senior Officer of the Dock Yard to sign any Remittance Bill in the Stead of the absent Commissioner, noticing after his Signature the Fact of such Absence.

Remittance of Half Pay and Pensions, Compassionate Fund, and Out Pensions.

XLII. And be it further enacted, That any Officer of the Royal Navy or Royal Marines entitled to Half Pay or to a Pension, and also any Person entitled to any Money or Allowance from the Compassionate Fund of the Navy, or to His Majesty's most gracious Bounty given to the Relatives of Persons slain in Fight with the Enemy, or to a Pension as the Widow of an Officer of the Navy, and any Petty Officer, Seaman, Non-commissioned Officer, or Private Marine entitled to a Pension or Allowance in respect of his Services or Wounds, shall be at liberty, whenever he or she shall think fit, to receive such Pay, Allowance, Bounty, or Pension by means of a Remittance Bill as aforesaid, to be made out by the Commissioners or Treasurer of the Navy, or his Clerk, or by the Paymaster of the Royal Marines, as the Case may be.

Penalty on any Collector, Clerk, &c. delaying

XLIII. And be it further enacted, That if any Collector of the Customs or Excise, or Clerk of the Treasurer of the Navy, or other Person authorized to make Naval Payments, to whom any Allotment

Bill or Remittance Bill to be made out under this Act shall be addressed or presented for Payment, shall not then have in his Hands sufficient public Monies to answer the same, or shall be unable, from any other sufficient Cause, to make such Payment, he shall forthwith deliver to the Party presenting the same a Note specifying such Cause of his Refusal or Delay in making Payment, dated on the Day the Demand shall be made, and shall appoint thereon some future Day for Payment, not later than Twenty-eight Days from the Date of such Demand; and if he shall unnecessarily and wilfully refuse or delay Payment, or if he shall directly or indirectly accept any Fee, Reward, or Gratuity, or make any Deduction or Discount whatsoever from any Payment made under any Allotment or Remittance Bill, he shall forfeit and pay a Penalty of Fifty Pounds for every such Offence. Payment or taking any Fee.

XLIV. And be it further enacted, That Payment on Allotment and Remittance Bills shall be made only to the Party to whom the same shall be expressed to be payable, except in Cases where such Party shall by Illness or bodily Infirmity be disabled from appearing personally, in which Cases, such Disability being certified by the Minister and Churchwardens of the Parish or Place where the Party shall reside, or by the Physician, Surgeon, or Apothecary attending him or her, and there being no Reason to doubt the Authenticity or Truth of such Certificate, Payment shall on that Occasion be made, on the Production of the Allotment or Bill, to the Order in Writing of the Party to whom it is made payable: Provided always, that in case the Officer of the Revenue, or Clerk to the Treasurer of the Navy, or other Person whose Duty it shall be to make Payment on any Allotment or Remittance Bill, shall entertain any Doubt as to the Identity of the Party, the Authenticity of the Vouchers produced, or his or her Title to receive Payment, such Officer, Clerk, or other Person shall inquire into the same by the Oath of the Party so applying, which Oath such Officer, Clerk, or other Person is hereby authorized to administer for that Purpose. Party to whom Allotment Bills are payable to appear personally. Power to administer Oaths.

XLV. And be it further enacted, That in case Payment shall not be demanded upon any Allotment or Remittance Bill, during the Space of Six Calendar Months from the Day of the Receipt thereof, by the Person by whom it is to be paid, or from the Date of the last Payment which shall have been made on any Allotment, such Person shall return the same to the Commissioners of the Navy; and whenever any such Person shall have received Notice from the said Commissioners of the Determination of any Allotment, or of its becoming no longer payable, he shall in like Manner return the same within Two Days after the Receipt of any such Notice, and no Payment to be thereafter made shall be allowed to him: Provided always, that when any Bill made out under the Provisions of this Act shall for any Cause whatever be returned to the Commissioners of the Navy by the Person to whom the same shall have been addressed, before the Expiration of the Time prescribed by this Act, it shall be lawful for the Commissioners to cancel such Bill, and also, on its being certified on one Part of the original Bill by the said Commisssioners or by the Treasurer of the Navy that reasonable Cause had been assigned by the Party to whom such Bill was payable for so cancelling the same, to cause If Payment of Allotment is not demanded within Six Months, the Bill to be returned. Renewal of Bills.

to

to be made out another similar Bill in Duplicate for the like Sum of Money, which shall be forwarded and paid in the same Manner as is provided with respect to the original Bill; and if such new Bill shall not be paid within the like Period as before specified, the same shall be returned and cancelled in like Manner, and the Sum of Money therein mentioned shall then become payable to the Party for whose Wages or Pay it was so made out, or, in case he shall be dead, to his Executor or Administrator.

Naval Officers and Widows entitled to Half Pay or Pensions, may draw on the Navy Board or be paid by Extract.

XLVI. And be it further enacted, That it shall be lawful for Commission and Warrant Officers entitled to Naval Half Pay, or to a Pension in respect of Service or Wounds, and for Widows of any such Officers entitled to a Pension as such Widows, and for the Executors and Administrators of every such Officer, to receive such Half Pay or Pension, or Arrears thereof, by drawing a Bill of Exchange upon the Commissioners of the Navy in the Manner hitherto used, provided they shall previously signify their Intention so to do by Application to the said Commissioners; or if any such Officers or Widows shall be residing near any of His Majesty's Dock Yards where there shall be any Clerk of the said Treasurer authorized to pay Wages, and they shall signify to him, or to the proper Clerk of the Navy Pay Office in *London*, their Desire to be paid by Extract, such Clerk shall take a Note thereof, and shall at such Periods as may be necessary make out and transmit to the Commissioners of the Navy Lists of the Names of such Officers and Widows, and the Particulars of the Half Pay or Pension claimed, with the usual Affidavit in Cases of Half Pay, and the usual Certificate of Life in the Cases of Pension (which Vouchers shall be supplied to the Clerk by the Party making the Application); and Measures shall thereupon be taken at the Navy Office for forwarding to the proper Clerk at the Dock Yard at which Payment is desired to be made Extracts from the Half Pay Book or List of Officers of the Navy entitled to Half Pay, and from the Book or List of Pensions payable to Commission and Warrant Officers in respect of Services or Wounds, and from the Widows Pension List or Book (as is used in the Cases of Payment of Wages upon Extracts from the Ship's Books), in order that Payment of such Half Pay and Pension may be made accordingly; and in Cases when the Parties so entitled to receive any Payment of Half Pay or Pension shall not express their Desire to receive Payment by Bill of Exchange or Extract or by Remittance, such Half Pay and Pension respectively shall be paid upon the said Lists or Books to be made out quarterly as has been heretofore used with respect to Half Pay, or in such other Manner as the Commissioners of the Navy shall deem most convenient for the public Service: Provided always, that no Person residing out of His Majesty's Dominions shall be entitled to the Benefit of Payment of Half Pay or Pension either by Bill of Exchange, Extract, or Remittance.

Assignments of Half Pay, &c. void.

XLVII. And be it further enacted, That all Assignments or Sales and Contracts made or to be made by any Person entitled to any Marine Half Pay, or by any Person entitled to an Allowance from the Compassionate Fund, or to any Pension as the Widow of an Officer, of or in relation to such Half Pay, Allowance, or Pension respectively, and

and all Assignments or Sales and Contracts of or relating to any Wages, Half Pay, Prize Money, Pension, Gratuities, and other Allowances payable in respect of the Services of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, shall be null and void to all Intents and Purposes.

Mode of executing Letters of Attorney and Wills.

XLVIII. And whereas it is expedient to establish Regulations for the Prevention of Forgery and Fraud, which have been heretofore much practised in relation to the Pay of the Royal Navy; be it further enacted, That no Will made by any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, before his Entry into His Majesty's Service, shall be valid to pass any Wages, Prize Money, or other Monies payable in respect of Services in His Majesty's Navy; and that no Letter of Attorney made by any such Person who shall be or shall have been in the said Service, or by the Widow, next of Kin, Executors, or Administrators of any such Person, shall be valid or sufficient to entitle any Person to receive any Wages, Prize Money, or other Allowance of Money of any Kind for the Service of any such Person in His Majesty's Navy, unless such Letter of Attorney shall be therein expressed to be revocable, and that no such Letter of Attorney shall be valid or sufficient to entitle any Person to receive any such Wages or other Monies; nor shall any Will made or to be made by any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, who shall be or shall have been in the Naval Service of His Majesty, be valid or sufficient to pass any such Wages, Prize Money, or other Monies, unless such Letter of Attorney or Will respectively shall contain the Name of the Ship to which the Person executing the same belonged at the Time or to which he last belonged, nor unless such Letter of Attorney, if made by an Executor or Administrator, shall contain the Name of the Ship to which his or her Testator or Intestate last belonged, and also in every Case a full Description of the Degree of Relationship or Residence of the Person or Persons to whom or in whose Favour, either as Attorney or Attornies, Executor or Executors, the same shall be made, and also the Day of the Month and Year and the Name of the Place when and where the same shall have been executed, nor shall any such Letter of Attorney or Will be valid for the Purposes aforesaid unless the same respectively shall, in the several Cases herein-after specified, be executed and attested in the Manner herein-after mentioned; (that is to say,) in case any such Letter of Attorney or Will shall be made by any such Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, while belonging to and on board of any Ship of His Majesty as Part of her Complement, or borne on the Books thereof as a Supernumerary or as an Invalid, or for Victuals only, the same shall be executed in the Presence of and be attested by the Captain, or (in his Absence) by the Commanding Officer for the Time being, and who in that Case shall state at the Foot of the Attestation the Absence of the Captain at the Time, and the Occasion thereof; and in case of the Inability of the Captain, by reason of Wounds or Sickness, to attest any such Will or Letter of Attorney, then the same shall be executed in the Presence of and be attested by the Officer next in Command, who shall state at the Foot of such Attestation the Inability of the Captain to attest the same, and the Cause thereof;

thereof; and if made in any of His Majesty's Hospital Ships, or in any Naval or other Hospital, or at any Sick Quarters either at Home or Abroad, the same shall be executed in the Presence of and be attested by the Governor, Physician, Surgeon, Assistant Surgeon, Agent, or Chaplain of any such Hospital or Sick Quarters, or by the Commanding Officer, Agent, Physician, Surgeon, Assistant Surgeon, or Chaplain for the Time being of any such Hospital Ship, or by the Physician, Surgeon, Assistant Surgeon, Agent, Chaplain, or Chief Officer of any Military or Merchant Hospital or other Sick Quarters, or One of them; and if made on board of any Ship or Vessel in the Transport Service, or in any other Merchant Ship or Vessel, the same shall be executed in the Presence of and be attested by some Commission or Warrant Officer or Chaplain in His Majesty's Navy, or some Commission Officer or Chaplain belonging to His Majesty's Land Forces or Royal Marines, or the Governor, Physician, Surgeon, or Agent of any Hospital in His Majesty's Naval or Military Service, if any such shall be then on board, or by the Master or First Mate thereof; and if made after he shall have been discharged from His Majesty's Service, or if such Letter of Attorney be made by the Executor or Administrator of any such Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, if the Party making the same shall then reside in *London* or within the Bills of Mortality, the same shall be executed in the Presence of and be attested by the Inspector for the Time being of Seamen's Wills and Powers of Attorney, or his Assistant or Clerk; or if the Party making the same shall then reside at or within the Distance of Seven Miles from any Port or Place where the Wages of Seamen in His Majesty's Service are paid, the same shall be executed in the Presence of and be attested by One of the Clerks of the Treasurer of the Navy resident at such Port or Place; or if the Party making such Letter of Attorney or Will shall then reside at any other Place in *Great Britain* or *Ireland*, or in the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, the same shall be executed in the Presence of and be attested by One of His Majesty's Justices of the Peace, or by the Minister or officiating Minister or Curate of the Parish or Place in which the same shall be executed; or if the Party making the same shall then reside in any other Part of His Majesty's Dominions, or in any Colony, Plantation, Settlement, Fort, Factory, or any other Foreign Possession of His Majesty, or any Settlement within the Charter of the *East India* Company, the same shall be executed in the Presence of and be attested by some Commission or Warrant Officer or Chaplain of His Majesty's Navy, or Commission Officer of Royal Marines, or the Commissioner of the Navy, or Naval Storekeeper at one of His Majesty's Naval Yards, or a Minister of the Church of *England* or *Scotland*, or a Magistrate or Principal Officer residing in any of such Places respectively; or if the Party making the same shall then reside at any Place not within His Majesty's Dominions, or any of the Places last mentioned, the same shall be executed in the Presence of and be attested by the *British* Consul or Vice Consul, or some Officer having a public Appointment or Commission, Civil, Naval, or Military, under His Majesty's Government, or by a Magistrate or Notary Public of or near the Place where such Letter of Attorney or Will shall be executed; nor shall any Will of any Petty Officer, Seaman, Non-commissioned Officer of

Marines or Marine, be deemed good or valid in Law, to any Intent or Purpose, which shall be contained, printed, or written in the same Instrument, Paper, or Parchment with a Power of Attorney: Provided always nevertheless, that if it shall appear to the Satisfaction of the Treasurer of His Majesty's Navy, in the Case of any Will or Letter of Attorney executed on board any of His Majesty's Ships, that in the Attestation thereof the Captain's Signature hath by Accident or Inadvertence been omitted, and that in all other respects the Execution has been conformable to the Provisions and to the Intent and Meaning of this Act, it shall be lawful for the Inspector of Seamen's Wills and Powers to pass the same as valid and sufficient.

Exception as to Wills made by Prisoners of War.

XLIX. Provided always, and be it further enacted, That every Letter of Attorney or Will which hath been or which hereafter shall be made by any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, while any such Person hath been or shall be a Prisoner of War, shall be valid to all Intents and Purposes, provided it shall have been executed in the Presence of and be attested by some Commission Officer of the Army, Navy, or Royal Marines, or by some Warrant Officer of His Majesty's Navy, or by a Physician, Surgeon, or Assistant Surgeon in the Army or Navy, Agent to some Naval Hospital, or Chaplain of the Army or Navy, or by any Notary Public; but so as not to invalidate or disturb any Payment which hath been already made under any Letter of Administration, Certificates, or otherwise, in consequence of the Rejection of any such Wills by the Inspector of Seamen's Wills for Want of the due Attestation thereof according to the Directions of any former Act of Parliament.

Wills, &c. to be noted in the Muster Book.

L. And be it further enacted, That all Officers commanding Ships shall, upon their monthly Muster Books or Returns, distinguish which of the Persons therein named have made any Letter of Attorney or Will during that Month, or other Space of Time from the preceding Return, by inserting the Date of such Letter of Attorney or Will opposite the Party's Name, under the Heads of "Letter of Attorney" or "Will," or both, as the Case may require; and shall likewise transmit to the Treasurer of the Navy, at the Time such Returns are transmitted to the Navy Office, a List to the same Effect of all such Persons.

Letters of Attorney and Wills to be examined by the Inspector.

LI. And be it further enacted, That before any Letter of Attorney or Will shall be attempted to be acted upon or put in force, the same shall be sent to the Treasurer of the Navy, at the Navy Pay Office, *London*, in order that it may be examined by the Inspector of Seamen's Will and Letters of Attorney, who, or his Assistant, shall, on Receipt thereof, duly register the same in a numerical and alphabetical Manner in separate Books to be kept for that Purpose, specifying the Date, the Place where executed, the Name and Description of the Party making the same, the Names and Additions of the Persons described therein either as Attornies or Executors, and also of the Witnesses attesting the same, and shall mark the same with the corresponding Numbers in the Ship's Books; and the said Inspector shall take due Means to ascertain the Authenticity of every such

such Letter of Attorney and Will, and in case he shall have Reason to suspect its Authenticity, he shall give Notice in Writing to the Attorney or Executor, as the Case may be, that the same is stopped, and the Reason thereof, and shall also report the same to the Treasurer of the Navy, and shall enter his Caveat against such Letter of Attorney or Will, which shall prevent any Money from being received thereon until the same shall be authenticated to the Satisfaction of the said Treasurer; but if there shall be no Reason, upon such Examination, to doubt its Authenticity, the said Inspector or his Assistant shall sign his Name thereto, and also put a Stamp thereon in Token of his Approbation thereof, and, as to such Letters of Attorney, forthwith send to the Person therein named as Attorney a Check specifying the Number of such Letter of Attorney, the Name and Description of the Person granting the same, the Name and Addition of the Person in whose Favour the same is granted, the Date and Place when and where executed, and the Names of the Witnesses attesting the same, which Check shall be a sufficient Authority for the Attorney to demand and receive Payment of and to give Acquittances for all such Wages, Pay, or other Allowances of Money to which the Person granting the same was entitled for his Service on board any of His Majesty's Ships.

No Letter of Attorney to be passed until a Certificate be produced.

LII. And be it further enacted, That no Letter of Attorney of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, which shall not have been made or executed on board the Ship to which the Party shall have belonged, in the Manner required by this Act, shall be passed, stamped, or allowed by the said Inspector until a Certificate shall have been produced to him, under the Hand of the Captain, specifying the Period of the Party's Service on board under the Command of such Captain, and a Description of his Height, Complexion, and Age, unless reasonable Cause shall be shown to and allowed by the said Treasurer or Inspector for dispensing with such Certificate.

As to Wages claimed under Powers of Attorney and Indentures.

LIII. And be it further enacted, That the Treasurer of the Navy shall not be bound to pay regard to any Power of Attorney, or Check of any Power, under which any Wages may be claimed as due to any Officers, Seamen, or Marines, unless such Power or Check of Power, as the Case may be, shall be actually produced at the Time Payment is claimed, and, in the Case of an Officer's Pay, unless the Power or a Copy of the Power be left with the proper Officer of the said Treasurer, accompanied with the usual Certificates and Papers; and in Cases of the Wages of a Seaman or Marine being claimed by any Master under any Indenture of Apprenticeship, every such Master shall, before he shall be entitled to receive the same, adduce satisfactory Proof to the Officer of the said Treasurer that the Indenture to be produced by him was in full Force during the Period for which such Wages are claimed, and that the Apprentice was, at the Time of the Execution of the Indenture, under the Age of Eighteen Years, and had not previously used the Sea; but in case the Indenture shall not be produced at the Pay Table when the Wages shall be demanded, and such Proof as aforesaid shall not be given, such Wages shall be paid to the Apprentice, and not to the Master.

LIV. And

Assignment of Pay by Commission and Warrant Officers.

LIV. And be it further enacted, That all Wages, Pay, and other Allowances payable for the Service of any Commission or Warrant Officer of His Majesty's Navy shall be paid to the Officer himself, if present, at the Pay Table, or to his lawful Attorney, upon the Production of the usual Certificates; but if he shall have assigned or sold his Pay, the same shall be paid to the Assignee, being duly authorized to receive the same; and if there shall be more Assignments than One, they shall be satisfied according to Priority of Date; but the Treasurer of the Navy shall not pay regard to any Assignment which shall not be presented at the Pay Table, accompanied by the usual Certificates and Papers, at the Time the Wages or Pay are appointed to be paid, and unless a true Copy of such Assignment be left at the same Time with the said Treasurer, nor shall he be liable to pay under any Assignment conveying generally any annual or other periodical Wages or Allowance to grow due, but only under such Assignments of Wages, Pay, or other Allowances due, as shall be made to secure Payment of any Sum advanced by the Assignee, which shall be truly set forth in such Assignment, and for the Amount of which, and no more, the Wages, Pay, and other Allowances payable to the Officer shall be liable.

Mode by which Executors are to obtain Probate.

LV. And be it enacted, That when any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, who shall have belonged to any Ship of His Majesty, shall have died, leaving a Will, no Wages, Prize Money, or other Allowance of Money shall be paid over to or recovered by his Executor or Executors except upon the Probate of the Will, to be obtained in the following manner; *videlicet*, after such Will shall have been so transmitted, registered, and approved as herein-before directed, the Inspector shall cause to be issued to the Person named therein as Executor a Cheque in lieu thereof, containing Directions to return the same, with his or her Signature thereto, upon the Testator's Death, to the Treasurer of His Majesty's Navy, which Cheque shall be in the Form heretofore used in such Cases, or in such other Form as the Treasurer of the Navy shall deem most expedient and conducive to the Purposes of this Act, and shall have the requisite Certificates in Blank subscribed thereto, to be filled up as herein-after mentioned; and in the Event of the Testator's Death, the Minister or Curate of the Parish in which the Party named as Executor shall then reside shall, upon the Application of the Executor, examine him, and such Two inhabitant Householders of the Parish as may be disposed to certify their personal Knowledge of the Holder of the Cheque, touching his Claim, and that they are satisfied of his being the Person therein described as Executor; and the said Executor shall subscribe his Name to the Application, and the Two Householders their Names to the Certificate for that Purpose subjoined to the Cheque (the Blanks therein being first filled up agreeable to Truth), in the Presence of the Minister or Curate, for which respective Purposes the said Executor and Householders shall attend at such Time and Place as shall be appointed by the Minister or Curate, who being, upon Examination of the several Parties, satisfied with their Answers, and that the Person holding the Cheque is the Executor therein named, and that the Two Persons certifying as before required are

inhabitant Householders of the Parish, and having seen the said Parties sign the Application and Certificate respectively (which he is hereby required to do), shall add thereto a Description of the Height, Complexion, Colour of Eyes and Hair, Age, and any particular Marks about the Person of the Party claiming as Executor, and, after the several Blanks shall have been filled up agreeable to Truth, shall certify to the several Particulars by subscribing his Signature thereto; and the said Executor shall, before signing the Application, pay to the said Minister or Curate a Fee of Two Shillings and Sixpence for his Trouble on the Occasion; and the said Application and Certificates being in all Things completed according to the Directions therein and hereby given, the same shall be transmitted by the said Minister or Curate by the General Post, addressed to the Treasurer of the Navy, *London*; and the said original Will having been passed in the Manner directed by this Act, the Inspector shall note thereon the Amount of the Wages due to the Deceased, as calculated on the Search to be obtained from the Navy Office, and shall then forward such Will to a Proctor, in order to his obtaining Probate thereof; and in case the Executor shall not reside within the Bills of Mortality, the Inspector shall also forward to such Proctor a Letter addressed to the Minister, in the usual or other requisite Form, for the Purpose of its being transmitted to him with the Commission for administering the necessary Oath to the Party as Executor; and such Proctor, having received the Will and the said Letter of the Inspector (in case such Letter shall be necessary), shall immediately sue out the previous Commission or Requisition, or take such other Steps as may be necessary towards enabling the Executor to obtain Probate, and shall inclose in the said Letter a Copy of the Will and the Commission or Requisition, with Instructions for executing the same, and forward the same to the Minister by the General Post, agreeably to the Address put thereon by the Inspector.

Mode of obtaining Administration to Intestate's Effects.

LVI. And be it further enacted, That when any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, shall die intestate, leaving any Wages, Prize Money, or other Allowances of Money of any Kind due to him in respect of Services in His Majesty's Navy, the same shall not be paid to his Representatives, except upon Letters of Administration, to be obtained in the following Manner; *videlicet*, the Person claiming Administration shall send a Letter to the Inspector, stating his Place of Abode, the Parish in which the same is situate, his Degree of Relationship to the Deceased, the Names of the Deceased and of the Ship or Ships to which he belonged, that he has been informed of the Intestate's Death, and requesting the Inspector to give such Directions as may enable him to procure Letters of Administration to the Deceased's Effects, or to the like Effect, upon Receipt whereof the Inspector shall send by Post, under Cover, to the Minister of the Parish wherein the Claimant shall reside, a Petition in the Form heretofore in such Cases used, or in such other Form as the Treasurer of the Navy shall deem most expedient and conducive to the Purposes of this Act, together with the requisite Certificates in Blank, to be filled up as hereafter mentioned, and a Letter pointing out the Steps to be taken

taken thereon as herein-after in that Behalf contained, and shall also send to the Claimant a Letter advising him of the forwarding of the said Petition or Paper as aforesaid, and pointing out the Measures to be taken by him for substantiating his Claim; and upon Receipt of the said Petition the Minister, officiating Minister, or Curate shall, on the Application of the Claimant, examine him, and also such Two inhabitant Householders of the Parish as may be disposed to certify their personal Knowledge of him, and their Belief of his Right to administer to the Effects of the Intestate, according to the Degree of Relationship set forth at the Head of the Petition; and the Minister or Curate being, upon due Examination of the Claimant and the said Two Householders, satisfied of the Truth of their Answers, and having seen the Claimant sign the Application, and the Two Householders sign the Certificate (which the Minister is required to do), shall add thereto a Description of the Height, Complexion, Colour of Eyes and Hair, Age, and any particular Marks about the Person of the Claimant, and after the Blanks in the said Petition, Certificates, and Description for those several Purposes shall have been filled up agreeable to Truth, shall certify to the several Particulars by subscribing his Signature thereto, for which respective Purposes the said Claimant and the Householders shall attend at such Time and Place as the Minister or Curate shall appoint; and the Claimant shall, before signing the Petition, pay to the Minister or Curate a Fee of Two Shillings and Sixpence for his Trouble on the Occasion; and the said Paper being in all Things completed according to the Directions therein and hereby given, the Minister shall return the same by the General Post, addressed to the Treasurer of the Navy, *London;* and upon the Receipt thereof at the Navy Pay Office, the Inspector shall examine the same, and, being satisfied of the Claim, he shall transmit to a Proctor a Certificate thereof (in the Form heretofore used, or in such other Form as the Treasurer of the Navy shall deem expedient); and in case the Claimant shall not reside within the Bills of Mortality, the Inspector shall at the same Time inclose and send to the said Proctor a Letter addressed to the Minister and Churchwardens or Elders, (as the Case may be,) of the Parish within which the Claimant then shall reside, signifying the Transmission of a Commission (which the Proctor is to obtain) for swearing the Claimant as Administrator, with the necessary Instructions for executing the same; and the Proctor shall, upon Receipt thereof, take the requisite Steps towards enabling the Claimant to obtain Letters of Administration, and shall, in the Inspector's Letter to the Minister, inclose the Commission or other necessary Instrument, with Instructions for executing the same, and shall forward such Letter and Inclosures by the General Post, agreeably to the Address put thereon by the said Inspector.

Minister or Curate rejecting Petition to state his Reasons.

LVII. Provided always, and be it further enacted, That in case the Minister or Curate shall reject any Petition for Want of satisfactory Proof of the Claim, he shall state his Reasons for such Rejection on the said Petition, and forthwith return the same to the Treasurer of the Navy as aforesaid; and in case no Application shall be made to the Minister or Curate by the Claimant, or no effectual Steps shall be taken by him to complete the Petition and the Certificates within the Space of Two Calendar Months from the Date of the Inspector's Letter

Letter accompanying such Petition, the Minister or Curate shall, at the Expiration of that Time, return the Petition to the Treasurer of the Navy as aforesaid, with his Reason for doing so noted thereon.

Minister to procure Execution of Commission.

LVIII. And be it enacted, That every Minister to whom any such Letter, with a Commission or Requisition for swearing any Executor or Administrator, shall be transmitted, shall, immediately upon the Receipt thereof, take the necessary Steps for procuring the Execution of the same, and shall transmit the same, when executed, directed to the Treasurer of His Majesty's Navy, *London;* and if the Executor or Administrator shall reside at a Distance from the Place where the Wages or other Allowances of Money are payable, he shall specify the Name and Residence of the nearest or most convenient Collector of Customs or of Excise; and upon Receipt of the said Commission at the Navy Pay Office, the same shall be forwarded to the Proctor, who, in pursuance thereof, shall forthwith procure the requisite Probate or Letters of Administration, and when obtained transmit the same to the Inspector at the Navy Pay Office.

Check to be issued by Inspector.

LIX. And be it further enacted, That when any Probate or Letters of Administration shall have been so obtained, the Proctor employed therein shall immediately send the same to the Treasurer of the Navy, with a Copy of the Will (in the Case of Probate), and an Account of his Charges for the same; and upon Receipt thereof the Inspector shall issue a Check, containing the Heads of such Probate or Letters of Administration, and shall note thereon the Amount of the Proctor's Charges and the Address of the Claimant, which Check shall be in the Form heretofore used in the Navy Pay Office, or in such other Form as the Treasurer of the Navy shall deem most expedient for the Purpose; and so soon as the Wages and Prize Money due to the Deceased shall have been calculated in the proper Departments, the Amount shall be noted on the Check, and, after abating the Proctor's Charges, the Balance shall be paid to the Party personally, or by Means of a Remittance Bill, in the Manner and under similar Regulations as are herein-before provided with respect to other Remittances of Wages, and the Check shall then be delivered to the Party to stand instead of Probate or Letters of Administration, to enable him to receive whatever other Sums may become payable to the Deceased's Estate.

No Proctor to deliver out Probate or Letters of Administration to any other than the Treasurer.

LX. And be it further enacted, That if any Proctor, Registrar, or other Officer of any Ecclesiastical Court shall deliver or cause to be delivered any Letters of Administration, Probate of Will, or Letters of Administration with Will annexed, to any other Person than the Treasurer of the Navy or the said Inspector, in the Manner directed by this Act, such Proctor or other Officer so offending shall for every such Offence forfeit the Sum of One hundred Pounds; and if any Agent or Agents for Prizes shall pay any Prize Money due to a Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, under any Authority whatever, other than the Inspector's Check directed by this Act, such Payment shall be null and void, and the

Agent or Agents so paying the same shall forfeit for every and each such Offence a Sum equal to the Amount of the Prize Money paid.

Limiting the Expence of Probate.

LXI. And be it further enacted, That no Registrar, Proctor, or other Officer of any Ecclesiastical Court shall, under any Pretence, take or receive any more for the Stamp, Seal, Parchment, Writing, Fees, and Trouble attending the suing forth the Probate of any Will or any Letters of Administration to the Effects of any Warrant or Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, whereby any Person may be enabled to obtain any Wages, Prize Money, or other Allowance of Money of any Kind in respect of Services in the Navy, than the several Sums specified in the Schedule hereunto annexed: Provided nevertheless, that if any Increase or Diminution shall take place in the Stamp Duties payable on any Instrument connected therewith, then the Charges shall be increased or diminished to the Extent of the Change in such Duties, but no further: Provided always, that in Cases of extraordinary Trouble o Expence, the Proctor shall be allowed to make additional Charges in proportion thereto, and if the same shall appear reasonable to the Inspector he may allow the same, but otherwise the same shall be submitted to the Treasurer of the Navy, and if he shall disapprove thereof, the same shall be taxed by the proper Officer of the Court, without Fee or Reward, unless the Charges shall have arisen in consequence of any Litigation or Suit, in which Case a Fee of Three Shillings shall be allowed to the Officer for Taxation.

Penalty on Proctors, &c. offending against this Act.

LXII. And be it further enacted, That if any Officer, Proctor, or other Person shall take more than the several Sums allowed in the said Schedule, every Person so offending shall forfeit the Sum of Fifty Pounds, with full Costs of Suit; or if any Registrar, Proctor, or other Officer of any Ecclesiastical Court shall knowingly or willingly be aiding or assisting in procuring Probate of any Will or Letters of Administration, whereby any Person may be enabled to claim any Wages, Pay, Prize Money, or Allowance of Money of any Kind for the Services of any such Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, otherwise than in the Manner prescribed by this Act, every such Registrar, Proctor, or other Officer shall for every such Offence forfeit and pay the Sum of Five hundred Pounds, and shall moreover forfeit his Office and be rendered incapable of acting in any Capacity in any Court of Admiralty or Ecclesiastical Jurisdiction.

Manner of proceeding in case of Executors, &c. dying before the Receipt of Wages.

LXIII. And be it further enacted, That when the Executor or Administrator of a deceased Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, shall die before he shall have received the Wages, Prize Money, or other Allowances payable to his Testator or Intestate, it shall be lawful for the Inspector to investigate the Right of any Person claiming Payment of the same or to represent according to Law the Person of such deceased Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, and, being satisfied of such Right, to certify the Name and Place of Abode of such Person upon the Check or Certificate, and that in his Judgment the Claimant is the rightful Representative of such deceased Petty

Officer or Seaman, Non-commissioned Officer of Marines or Marine, and entitled to receive whatever may remain due in respect of his Services as aforesaid; and thereupon if the Wages, Prize Money, and other Allowances remaining unpaid shall appear to the Inspector not to amount nor likely to amount to more than the Sum of Twenty Pounds, then it shall be lawful for the said Treasurer, and also for any Agent or Agents for Prizes respectively, to pay to such Person all Wages, Pay, Prize Money, Bounty Money, and other Allowances of Money so due or to become payable, without requiring him to take out fresh Letters of Administration; but if the same shall amount or appear to the said Inspector to be likely to amount to more than that Sum, then the same shall only be paid upon fresh Letters of Administration, to be obtained in the Manner herein-before directed.

For preventing fraudulent Claims by pretended Creditors of Seamen and Marines.

LXIV. And for preventing Frauds, which have been frequently practised by Persons falsely pretending to be Creditors of deceased Seamen and Marines; be it further enacted, That no Letters of Administration shall be granted to any Person claiming as a Creditor of any deceased Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, but that every such Creditor shall be entitled to receive the Amount of his Claim (if just) out of the Assets of the Deceased, or so far as the same will extend for that Purpose, when the just Amount of the Debt or Claim shall have been ascertained and approved as herein-after provided; (that is to say,) every Person claiming as a Creditor shall deliver to the said Inspector an Account in Writing, subscribed with his Name, stating the Particulars of the Demand and the Place of his Abode, and verified by his Oath, or, being a Quaker, by his Affirmation in Writing taken before any Justice of the Peace, which Oath or Affirmation any such Justice is hereby empowered to administer; and if any Application for a Certificate to obtain Probate of the Will or Letters of Administration to the Effects of the Deceased shall be made, the Inspector shall give Notice to the Applicant of the Name and Place of Abode of the Creditor, and the Amount of the Debt, and shall also cause Notice to be given to the Creditor of the Place of Abode of such Applicant; but if no such Application shall have been made at the Time of the Delivery of the Claim, the Inspector or other Person authorized by the said Treasurer shall proceed to investigate the Account of such Creditor, for which Purpose he is hereby empowered and directed to require from such Creditor a Production before him of all Books, Accounts, Vouchers, and Papers relating to his Demand, and satisfactory Evidence thereof; and if such Creditor shall, by due Proof, satisfy the said Inspector or other authorized Person of the Justice of the Demand in part or in the whole, then the same shall be allowed as shall appear just; but if all Books, Accounts, Vouchers, and Papers shall not be produced, or a sufficient Reason assigned for not producing the same, or if the said Inspector or other authorized Person shall not be satisfied of the Justice of the Demand, then he shall disallow the same: Provided always, that in case such Creditor shall be dissatisfied, he shall be at liberty to appeal against such Decision to the said Treasurer, who shall thereupon inquire into the same by the Examination of the Parties and their Witnesses upon Oath or Affirmation taken or made before the said Treasurer or any Justice

of the Peace, (which Oath or Affirmation the said Treasurer and any Justice as aforesaid are hereby severally authorized to administer,) and to allow or disallow the Claim, in part or in the whole, as to the said Treasurer shall seem fit, and the Decision of the said Treasurer shall be final and conclusive in the Premises: Provided always, that no Claim of any Creditor shall be admitted or allowed unless the same be made within Two Years next after the Death of the Party upon whose Assets the Claim is made, nor unless the same shall appear to have accrued within Three Years next before the Death of such Party.

Creditors to be paid if there are no Executors or Administrators.

LXV. And be it further enacted, That if within the Space of Twelve Calendar Months from the Delivery of the Claim no Application shall have been made by any Person in the Character either of Executor or Administrator, the Creditor shall be entitled to receive so much as shall have been allowed to be due to him as aforesaid out of the Monies payable in respect of the Services of the Deceased, so far as they will extend to satisfy the same, and thereupon the Inspector shall grant to the Creditor a Certificate of the Allowance of such Claim in the Form heretofore used, or in such other Form as shall by the said Treasurer be deemed expedient, and so much of such Wages as shall be sufficient to satisfy the Claim so allowed shall be paid or remitted to the Creditor in the Manner herein provided for the Remittance of Wages to Executors or Administrators: Provided always, that if any Prize Money or Bounty Money shall be due to the Deceased, the same shall be payable to such Creditor only in the Manner herein-after directed; (that is to say,) if the Wages and other Allowances of Money shall not be sufficient to discharge the Claim, the proper Officer in the Navy Pay Office shall state at the Foot of the Certificate the Amount paid to the Creditor, and it shall not be lawful for the Creditor to demand or receive from any Person any Prize Money or Bounty Money due to the Deceased except as herein-after next mentioned; (that is to say,) such Prize and Bounty Money, if the same shall be in the Hands of an Agent, shall be paid over as in Cases of unclaimed Prize Money, and the Creditor, on the Production of such Certificate to the Officer appointed to pay the Prize Money, shall be entitled to receive from him so much of the Deceased's Prize Money or other Allowances as shall be sufficient to discharge his Demand, and upon the same being satisfied, the Inspector shall retain the Certificate as a Voucher or Document of Office: Provided also, that if there shall be more Creditors than One, they shall be satisfied according to the Priority of the Allowance of their respective Claims, but so as not to deprive any Creditor of any Priority he may by Law be entitled to by reason of any Specialty, provided Notice in Writing of the Particulars of such Specialty shall have been given to the Treasurer of the Navy in due Time.

Agents not to produce Prize Orders executed within Six Miles of the Place of Payment.

LXVI. And whereas by an Act of the Fifty-fourth Year of the Reign of His late Majesty, for regulating the Payment of Navy Prize Money, Agents for Prizes are prohibited from paying any Prize Money or Bounty Money to any Person upon any Order made within the Distance of Five Miles of the Place where the same shall be payable, (such Prize Money or Bounty Money being in course of Distribution

Distribution at the Time of making such Order,) under the Penalty therein mentioned; be it further enacted, That if any Agent licensed by the Treasurer of His Majesty's Navy, or if any other Person, shall insert or cause to be inserted in any Order for Payment of Prize Money or Bounty Money payable in respect of the Services of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, in His Majesty's Navy, the Name of any captured Ship, Vessel, Fortress, or Place, the Proceeds of which or the Bounty Money payable in respect whereof shall be then in course of Distribution within Six Miles of the Place where such Name or Names shall be inserted, and where such Order shall be intended to be attested under the Provisions of the said last-mentioned Act, or shall utter any such Order with the Name or Names of any such captured Ship, Vessel, Fortress, or Place inserted therein, for the Purpose of demanding or receiving Payment of any Prize Money or Bounty Money for or in respect of such captured Ship, Vessel, Fortress, or Place, such Prize Money or Bounty Money being then in course of Distribution or Payment within Six Miles of the Place where such Order shall have been made or drawn and attested, every such Person so offending shall forfeit and pay the Sum of Fifty Pounds.

Captains to deliver Certificates to discharged Seamen.

LXVII. And be it further enacted, That when any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, shall be discharged for any Cause from any Ship of His Majesty, the Captain shall cause to be made out and sign a Certificate describing the Period of such discharged Person's Service on board the Ship, his Number on the Ship's Books, and his Stature, Complexion, and Age, which shall be delivered to the Party at the Time of his Discharge; and no Petty Officer, Seaman, Non-commissioned Officer, or Marine shall be entitled to receive his Wages, Prize Money, or other Allowances, unless he shall produce such Certificate at the Time the same are claimed, or unless he shall be identified by One or more of the Commission or Warrant Officers who belonged to the Vessel during some Part of the Period for which he may so claim; and no Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, who shall be discharged from any Ship of His Majesty into any other such Ship, shall be entitled to receive any Wages or Allowances for the Ship to which he shall have last belonged unless he shall enter and be mustered Three Times in the Ship into which he shall be so discharged, or shall appear upon the Books of the Ship into which he shall next go to have been regularly discharged therefrom; or in case of his having been taken by the Enemy, or if the Ship in which he shall have last served shall have been lost or destroyed, and he shall have survived, unless he shall return so soon as it shall be in his Power to do so, and enter again within a reasonable Time on board some Ship of His Majesty; or in case he shall be discharged from his Ship to any Naval Hospital or Sick Quarters, unless he shall return to his Ship when discharged from such Hospital or Sick Quarters, or be discharged out of the Service; or unless in any of the said Events reasonable Cause be shown to and allowed by the Commissioner of the Navy comptrolling such Payment, and the Clerk of the Treasurer of the Navy making the same, for not producing such Certificate or for Noncompliance with any thing herein directed.

LXVIII. And

LXVIII. And be it further enacted, That when any Wages not exceeding Ten Pounds shall be payable by the Rules of the Navy to any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, it shall be lawful for him to make an Order in Writing for Payment of the same upon the Treasurer of the Navy, which Order nevertheless shall be revocable as in the Case of Powers of Attorney, and the same shall be attested by the Captain or any other of the signing Officers, or a Lieutenant of the Ship on board of which such Wages were earned, accompanied with a Certificate, from One of the signing Officers or Lieutenants, of the Particulars of the Service of the Drawer of such Order; and the said Order and Certificate shall be examined by the Inspector of Seamen's Wills, and if he sees no Cause to suspect the Authenticity thereof he shall stamp and pass the same for Payment, but otherwise he shall report the same to the Treasurer of the Navy, and shall enter his Caveat, which shall prevent any Money from being received thereon until the same shall be authenticated to the Satisfaction of the said Treasurer; and if the Party making such Order shall have been discharged from His Majesty's Service, the Order shall be attested in the like Manner as is hereinbefore directed with respect to the Attestation of Letters of Attorney, and shall be accompanied by the like Certificates of Service, and be subject to the like Examination and Caveat, as is above directed with regard to Orders made by Persons in His Majesty's Service: Provided always, that the Privilege hereby given shall not extend to any Person who shall have been discharged from His Majesty's Service for any other Cause than being unserviceable, but every such last-mentioned Person shall, according to the Rules of the Navy, wait until the Ship from whence he shall have been discharged shall come in course of Payment.

Payment of Orders under 10*l.* executed by Seamen.

LXIX. And in order to avoid the Expence which the Relatives of deceased Officers, Seamen, and Marines may be otherwise obliged to incur to obtain Payment of small Sums due for the Services of such deceased Persons be it enacted, That in all Cases when any Monies not exceeding Twenty Pounds shall be due on account of any Wages, Prize Money, or other Allowances payable on account of the Services of any deceased Petty Officer, Seaman, Non-commissioned Officer of Marines, or Marine, it shall be lawful for the Inspector of Seamen's Wills, after having by the requisite previous Steps, as before directed, ascertained the Right of any Claimant to Probate of the Will or to Administration of the Effects of the Deceased, to issue a Check or Certificate to that Effect, in such Form as by the Treasurer of the Navy shall be deemed expedient; and to the same end, in all Cases when any Monies not exceeding in the whole the Sum of Thirty-two Pounds shall be payable on account of any Pay or Half Pay or Pension of any deceased Officer of the Navy or Royal Marines, or of any Pension to any deceased Widow of an Officer, or on account of any Allowance from the Compassionate Fund to any deceased Person, it shall be lawful for the said Treasurer of the Navy or for the Paymaster of Royal Marines, as the Case may be, after having ascertained in a satisfactory Manner the Right of any Claimant to Probate of the Will or to Letters of Administration of the Effects of the Deceased, and that the Deceased has not left any other Assets to be administered than

Sums not exceeding 20*l.* due to deceased Petty Officers to be paid on Certificate.

than the Arrears of Pay, Half Pay, Pension, or Allowance, not exceeding Thirty-two Pounds as aforesaid, to issue a Certificate to that Effect, in such Form as shall be deemed expedient; and upon such Check or Certificate of the Inspector, and upon such Certificate of the Treasurer of the Navy and Paymaster of Royal Marines respectively, Payment of the Monies so due, not exceeding the respective Sums of Twenty Pounds and Thirty-two Pounds as aforesaid, shall be made to the Parties named in such Checks and Certificates respectively, either personally, or, if they shall desire it, by Remittance Bill in the Manner by this Act provided with respect to Payments by Remittance; and all Payments made under such Checks and Certificates, not exceeding the respective Sums aforesaid, shall be as effectual and legal as if the same had been made under any Probate of a Will or Letters of Administration duly granted by the proper Court, and shall be allowed to the said Treasurer and Paymaster of Royal Marines in their respective Accounts.

Monies due to lunatic Officers or Men made payable to Persons having the Care of them.

LXX. And whereas many Cases occur of Officers of the Royal Navy and Royal Marines, and of Seamen and Marines, entitled to Pay, Half Pay, Pension, or Prize Money, becoming insane or lunatic, in which it is not deemed by their Relatives expedient, by reason of the Expence and of there being no other Monies or Estate to administer, to take Measures according to Law for obtaining a Commission of Lunacy; and it is expedient that the Monies accruing due to them should be advanced for their Support; be it therefore enacted, That in any of such Cases, when it shall be made appear to the Treasurer of the Navy or to the Paymaster of Royal Marines, as the Case may be, by satisfactory Evidence, that any Officer, Seaman, or Marine is insane, lunatic, or otherwise, from his State of Mind, incompetent to the Management of his Affairs, it shall be lawful for the said Treasurer or Paymaster to pay over to the Wife, Relative, or other Person having the Care and Maintenance of such incompetent Person, such Monies as shall become payable, or such Portion thereof as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid shall think fit, to be applied towards the Maintenance and Support of such incompetent Person; and every Payment so made shall be deemed good and valid, and be allowed to the said Treasurer and Paymaster respectively in their Accounts.

Pensions to Widows.

LXXI. And be it further enacted, That all Pensions to which the Widows of Officers of the Royal Navy are or may be entitled under any Commission, Warrant, or Order of His Majesty, shall be paid in the same Manner as other Pensions for Services in the Royal Navy are payable; and that it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or any Two or more of them, for the Time being, to make such Orders, Rules, and Regulations, and from Time to Time to alter the same, in relation to the Payment of Half Pay to the Officers of Royal Marines, and of the Allowances from the Compassionate Fund of the Navy, and also as to any Certificates, Vouchers, Receipts, or Orders for the better regulating, managing, and making such Payments, and to require such Proofs and Affi-

Admiralty may make Regulations for the Payment of Marine Half Pay, &c.

davits relating thereto as they shall deem requisite for the ordering and securing the Payment of such Half Pay and Allowances: Provided always, that every such Order, Rule, or Regulation may from Time to Time be revoked or altered by any Warrant or Order under His Majesty's Royal Sign Manual.

Wages, Pay, Prize Money, &c., not claimed within Six Years, to be declared forfeited.

LXXII. And be it further enacted, That in all Cases in which any Wages, Pay, Half Pay, Prize Money, Bounty Money, Pension, Gratuity, or Allowance of any Kind payable in respect or in consideration of the Services of any Officer, Seaman, or Marine in the Royal Navy, shall not be claimed or demanded by or on the Behalf of the Person to whom the same was so payable, or, in case of his or her Death, by any Person legally entitled thereto, within Six Years next after the Period at which the same respectively first became due and payable, or the Services in respect of which the same may be payable were performed, the same shall and are hereby declared to be forfeited: Provided always, that it shall be lawful for the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being, upon sufficient Cause being shown for any Delay or Neglect which may have occurred in making any such Claim, to exercise a Discretion thereupon, and to authorize the Payment of the same, notwithstanding any such Forfeiture thereof.

Letters to and from the Treasurer or Paymaster to go free.

Limitation.

LXXIII. And be it further enacted, That all Letters and Packets addressed to or sent by the Treasurer or the Paymaster of the Navy for the Time being shall be sent and received free from the Duty of Postage, in the same Manner and under the same Restrictions as the Paymaster General of His Majesty's Forces is by Law authorized to send and receive Letters and Packets free of Postage: Provided always, that so far as relates to the Paymaster of the Navy, the Provision herein contained shall not continue in force beyond the Thirty-first Day of *December* One thousand eight hundred and thirty.

Letters to and from certain other Officers to go free.

Regulation as to such Letters.

LXXIV. And be it further enacted, That all Letters and Packets addressed to and sent by the Inspector of Seamen's Wills and Letters of Attorney for the Time being, upon any Business or Affairs of or relating to the said Office of Inspector, and all Letters and Packets in relation to Officers and Seamen's Wages sent, in the Execution of this Act, by the Cashier or other Officer in the Navy Pay Office appointed for paying Seamen's Tickets, and all Letters and Packets in relation to Remittances, Half Pay, Pension, Bounty, and Allowances from the Compassionate Fund, sent, in the Execution of this Act, by the Officer or Clerk to be nominated by the Treasurer of the Navy for that Purpose, and all Letters and Packets in relation to Widows Pensions sent, in the Execution of this Act, by the Officer or Clerk to be nominated by the Treasurer of the Navy for that Purpose, shall be free from the Duty of Postage; and all such Letters and Packets which shall be forwarded by the said Inspector, Cashier, Officers, and Clerks respectively shall be under Cover, with the Words, "Pursuant to Act of Parliament of 11th *George* 4th," printed on the same; and the said Inspector, Cashier, Officers, and Clerks respectively sending the same shall sign their respective Names under such Words; and if any such Inspector, Cashier,

Penalty for infringing such Regulations.

Cashier, Officer, or Clerk, or any other Person, shall send or cause to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure, other than what shall relate to the public Business of the several Departments of the Navy Pay Office and Navy Office, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

Letters relating to the Business of the Commissioners of the Navy or the Victualling Department to go free, subject to the Regulations herein mentioned.

LXXV. And be it further enacted, That all Letters and Packets addressed to the Commissioners of the Navy or to the Commissioners for victualling His Majesty's Navy, relating solely to the Business of their respective Departments, shall be free from the Duty of Postage, and that it shall be lawful for the said Commissioners of the Navy and Victualling respectively to authorize and direct certain Persons in each of their Offices or Departments respectively (not exceeding the Number of Three in Time of Peace, and Six in Time of War, in the Navy Office, and the Number of Two in Time of Peace, and Four in Time of War, in the Victualling Office, a List of whose Names shall be from Time to Time transmitted by the respective Commissioners aforesaid to the Secretary of the General Post Office in *London*,) to send Letters and Packets, relating to the Business only of their respective Departments, free of Postage, all which Letters and Packets shall be under Cover, with the Words, "On His Majesty's Service," and "Navy Office," or "Victualling Office," as the Case may be, printed on the same; and the said Persons so to be authorized as aforesaid shall sign and subscribe their respective Names under such Words, and all such Letters and Packets shall be sealed with the Seal of the Navy and Victualling Offices respectively; and all the said Persons are hereby strictly forbidden so to subscribe and seal any Letter or Packet, except such only as they shall know to relate solely to the Business of their respective Offices; and if any such authorized Person or any other Person shall send, or cause or permit to be sent, under any such Cover, any Letter, Paper, or Writing, or any Inclosure, other than what shall relate to the public Business of their respective Departments, every Person so offending shall for the first Offence forfeit and pay the Sum of One hundred Pounds, and for the second Offence shall be dismissed from his Office.

As to Letters sent to the Commissioners not relating solely to the Business of their Office.

LXXVI. Provided always, and be it further enacted, That if any Letter, Paper, or Thing whatsoever shall be sent under Cover to the Commissioners of the Navy or to the Commissioners for victualling His Majesty's Navy, the same not being actually upon His Majesty's Service and relating solely to the Business of their respective Offices, the said Commissioners respectively are hereby required forthwith to forward the same to the Postmaster General, with the Covers, in order that the Contents thereof may be charged with the Duty of Postage.

Tickets, &c. to be good Vouchers to the Treasurer.

LXXVII. And be it further enacted, That all Bills, Tickets, Certificates, Pay Lists, Orders, and other Documents upon which any Payment is authorized by this Act to be made by the Treasurer of the Navy, shall be allowed and taken, on the passing of his Accounts, as good and sufficient Vouchers to him for so much

much Money as shall be therein directed to be paid, and shall have been paid by him thereon.

Exemption from Stamps

LXXVIII. And be it further enacted, That all Bills to be drawn by the Commissioners of the Navy or the Commissioners for victualling His Majesty's Navy, or any of them, relating to the public Service, or in the Execution of this Act; all Bills to be drawn by any Commission, Warrant, or Petty Officer of the Navy, or any Officer of Royal Marines, or other Person, under the Authority of this Act, and payable by the Treasurer of the Navy or by the Paymaster of Royal Marines; all Orders, Tickets, Cheques, Certificates, Vouchers, and other Documents made out in pursuance of this Act; all Receipts for Money paid to the Treasurer of the Navy on account of the public Service; and all Receipts for Wages, Allowances of every Kind, Pensions, Bounty, and Half Pay or Prize Money, or in respect of Payments made by the Treasurer of the Navy or by the Paymaster of Royal Marines, or by any Collector of Customs and Excise, in the Execution of the Provisions of this Act or under the Authority of the same; shall be and are hereby wholly exempted from all Stamp Duty whatever.

Agent's Commission.

LXXIX. And be it further enacted, That no Agent or other Person who shall be employed in the Receipt of any Wages, Pay, Prize Money, Pension, or Allowances payable in respect of the Services of any Officer, Seaman, Marine, or other Person in the Royal Navy, shall be entitled to take or retain more than Sixpence in the Pound for receiving and paying over any such Wages, Prize Money, Pension, or other Allowances, and for all his Attendance and Trouble in relation thereto, over and above the Disbursements in respect of Postage and public Fees and other Charges which such Agent shall have necessarily paid: Provided always, that in the Cases only of the Accounts of Captains and Pursers, and Officers acting as Captains and Pursers, it shall be lawful for such Agents to charge in manner following; (that is to say,) the Sum of Three Pounds for every One hundred Pounds of the Amount of the Pay of all Captains and Officers acting as Captains, and so in proportion for a smaller Sum; and the Sum of Three Pounds Fifteen Shillings for every One hundred Pounds of the Amount of the Pay, Allowances, and Balance Bills of all Pursers, or Officers acting as Pursers, and so in proportion for a smaller Sum; which respective Allowances shall be deemed a full Compensation to such Agents, over and above all Postages and public Fees and Allowances which shall have been necessarily disbursed by them; and if any such Agent or other Person shall directly or indirectly charge, demand, receive, or retain, or permit or suffer to be charged, demanded, received, or retained, any Allowance or Consideration exceeding the Allowance hereby authorized, he shall for every such Offence forfeit the Sum of Fifty Pounds.

To prevent Arrest of Seamen, &c.

LXXX. And to prevent any unjust or fraudulent Arrests of Seamen or Marines, as well as to prevent Credit being improperly given to them while belonging to any Ships of His Majesty; be it further enacted, That it shall not be lawful for any Person to arrest or take out of His Majesty's Service any Petty Officer, Seaman, Non-commissioned Officer of Marines, or Private Marine, belonging to

any Ship of His Majesty, by any Warrant, Process, or Writ of Execution whatever, to be issued either in the United Kingdom or in any other Part of His Majesty's Dominions, for any Debt or alleged Debt, unless such Debt shall have been contracted by such Officer, Seaman, or Marine at a Time when he did not belong to His Majesty's Service, and unless before the issuing of such Process or Execution the Plaintiff in the Suit, or some Person on his Behalf, shall make Affidavit in the Court out of which such Process or Execution shall issue, that the Debt justly due and owing to the Plaintiff, over and above all Costs, was contracted by the Defendant at a Time when he did not belong to the Service of His Majesty, a Memorandum of which Oath shall be marked on the Back of such Process or Execution, and of the Warrant issued in pursuance thereof; and if any Person be nevertheless arrested contrary hereto, it shall be lawful for the Court or any Judge of such Court, upon Complaint made thereof by the Party himself or by his superior Officer, to examine into the same by the Oath of the Parties or otherwise, and to make an Order for the Discharge of every such Person so arrested contrary to the Intent of this Act, and he shall thereupon be discharged out of Custody without Payment of any Fee whatever; and such Court or Judge shall also award to the Party so complaining the Costs of such Complaint, to be taxed by the proper Officer, for the Recovery whereof he shall have the like Remedy that the Plaintiff might have had for his Costs in case Judgment had been given for him, with Costs, against the Defendant in the said Action.

Act to extend to the Royal Marines.

LXXXI. And be it further enacted, That all the Clauses, Provisions, and Regulations herein contained shall, so far as the same can be applied, extend to the Non-commissioned Officers, Drummers, and Privates of Royal Marines, in respect of their Services on board any of His Majesty's Ships.

Provision for Seamen left Abroad in Distress.

LXXXII. And whereas by the said Act of the Thirty-first Year of King *George* the Second, and the said first-mentioned Act of the Thirty-second Year of King *George* the Third, hereby repealed, certain Provisions were established for the Care and Maintenance of *British* Seamen who, by Shipwreck, Capture, or otherwise, might be left in Distress in Foreign Parts; and it is expedient that other Provisions should be substituted for the due Care and Subsistence of seafaring Persons thus circumstanced; be it therefore enacted, That the Governors, Ministers, Consuls, and other Officers of His Majesty in Foreign Parts, and in Places where there shall be no such, then any two *British* Merchants there residing, shall and they are hereby authorized, directed, and required to send for and provide for all such seafaring Men and Boys, being Subjects of the United Kingdom, who shall by Shipwreck, or by any other Means, or from any Cause whatever, be driven to or cast away or left or be in Distress at any such Foreign Parts or Places, or who shall have been discharged from any of His Majesty's Ships, and they and every of them are hereby required to provide for and subsist all such seafaring Men and Boys, and for so doing they shall be allowed so much *per* Day as hath been or shall be in this respect authorized by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Amount of which Disbursements they shall send

Bills, together with proper Vouchers, to the Commissioners of the Navy, in order that, after due Examination of such Vouchers, Payment of the Amount thereof may be made to them; and the said Governors, Ministers, Consuls, other Officers, and Merchants shall cause such Men and Boys to be put or sent on board the first or any Ship or Vessel belonging to any Subjects of His Majesty which shall be bound from thence or from the Neighbourhood to any Part of the United Kingdom, and shall be in want of Men to make up their Complement; and if there shall be no such Ship in want of Men within a convenient Time, then they shall provide and order a Passage Home for such seafaring Men and Boys in the first Ship or Vessel of His Majesty's Subjects bound to any Part of the said United Kingdom; and every Master or other Person having the Charge of any such Ship or Vessel shall and he is hereby required to receive and afford a Passage, and Subsistence during the Voyage, to all such seafaring Men and Boys as shall be so sent on board his Ship, not exceeding Four for every One hundred Tons of his Ship's Burthen; and every such Master, on the Production to the Commissioners of the Navy of a Certificate under the Hands of any such Governors, Ministers, Consuls, other Officers, or Merchants, specifying the Number and Names of the Men and Boys, and the Time when they were so received on board, and upon making Oath as to the Number of Days they were subsisted, and that he did not during that Period want of his own Complement of Men, or if he did want any, then the Number he so wanted of his Complement, and for what Time he shall be entitled to receive from the said Commissioners an Allowance in respect of the Subsistence and Passage of each such Man and Boy (exceeding the Number so wanting of his Complement), according to such Rate *per* Day as in that Behalf hath been or shall be authorized by the said Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid; and in case any Master or other Person having Charge of any such Ship shall neglect or refuse to receive on board his Ship, and to subsist and give a Passage to any such seafaring Man or Boy, in breach of this Enactment, every Person so offending shall be liable to a Penalty of One hundred Pounds for each Man or Boy he shall so neglect or refuse to receive, subsist, or give a Passage to, which Penalty shall and may be recovered by Information at the Suit of His Majesty's Attorney General in His Majesty's Court of King's Bench or Exchequer at *Westminster*, and that in such Information the Offence or Offences shall and may be alleged to have been committed at *Westminster* in the County of *Middlesex*; and the Court in which any such Information shall be prosecuted shall be and is hereby authorized to issue a Commission or Commissions for the Examination of Witnesses Abroad, the Depositions taken under which shall be received in Evidence on the Trial of such Information.

Punishment for forging Ticket, &c.

LXXXIII. And be it further enacted, That if any Person shall forge, or offer, utter, dispose of, or put off, knowing the same to be forged, any Ticket, Pay List, Extract from any Ship's Books, or any Certificate whatever authorized or required by this Act, or any Inspector's or other Cheque, or any Letter of Attorney, Assignment, Power, or Authority, in order to obtain or to enable any other Person to receive any Wages, Pay, Half Pay, Prize Money, Bounty Money, or other

other Allowance of Money due or supposed to be due in respect of the Services of any Commission, Warrant, or Petty Officer, or Seaman, or any Commission or Non-commissioned Officer of Marines or Marine, or any other Person, performed or supposed to be performed in the Royal Navy; or if any Person shall forge, or offer, utter, dispose of, or put off, any Purser's or other Certificate to a Bill of Exchange, or any Approval of any such Bill, respectively required by this Act; or if any Person shall forge, or utter or put off, knowing the same to be forged, any Receipt for Wages payable under Allotment or otherwise in respect of the Services of any Person on board any of His Majesty's Ships, or shall forge the Name or Handwriting of any Officer of the Royal Navy or Royal Marines to any Receipt for Half pay or Arrears of Half Pay, or the Name or Handwriting of any Widow to any Receipt for any Pension or Arrears of Pension, or the Name or Handwriting of any Person to any Receipt for an Allowance from the Compassionate Fund of the Navy; or shall offer, utter, dispose of, or put off any forged Receipt for Half Pay or Arrears of Half Pay, or for any Widow's Pension or Arrears of such Pension, or for any Allowance from the Compassionate Fund, knowing any such Receipt to be forged, with Intent in any of the said Cases to defraud any Person whomsoever, every Person so offending shall be deemed guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Punishment for personating any Officer, &c.

LXXXIV. And be it further enacted, That if any Person shall falsely and deceitfully personate any Commission, Warrant, or Petty Officer, or Seaman, or Commission or Non-commissioned Officer of Marines or Marine, or the Wife, Widow, or Relation, Executor, Administrator, or Creditor of any such Officer, Seaman, or Marine, or any Person entitled to any Allowance from the Compassionate Fund of the Navy, in order to receive any Wages, Pay, Half Pay, Prize Money, Bounty Money, Pension, or any Part thereof, Gratuity or other Allowance for Money due or payable, or supposed to be due or payable, to any such Officer, Seaman, or Marine, or to the Wife or Widow, Relation, Executor, Administrator, or Creditor of any such deceased Officer, Seaman, or Marine, or any Allowance to any Person from the said Compassionate Fund, with Intend to defraud any Person whomsoever, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Punishment for taking a false Oath in order to obtain Probate, &c.

LXXXV. And be it further enacted, That if any Person shall fraudulently and deceitfully take a false Oath, in order to obtain Probate of any Will or Letters of Administration of the Effects of any deceased Commission, Warrant, or Petty Officer, or Seaman, or Commission or Non-commissioned Officer of Marines or Marine; or if any Person shall fraudulently receive or demand any Wages, Pay, Prize Money, Bounty Money, Pension, or any Part thereof, or any Allowance of Money whatever, payable or supposed to be payable in respect of the Services of any such Officer, Seaman, or Marine, or from

from the Compassionate Fund of the Navy, or any Pension to the Widow of an Officer, upon or by virtue of any Probate of a Will or Letters of Administration, knowing such Will to be forged, or such Probate or Letters of Administration to have been obtained by means of a false Oath, with Intent in any of the said Cases to defraud any Person whomsoever, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Punishment for subscribing false Petition.

LXXXVI. And be it further enacted, That if any Person shall subscribe any false Petition or Application to the Treasurer of His Majesty's Navy or to the Paymaster of Royal Marines, falsely and deceitfully representing herself or himself therein to be the Widow, Executor, nearest or one of the nearest of Kindred of any deceased Commission or Warrant Officer of the Navy, or Commission Officer of Marines, or of any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, or shall utter or publish any such Petition or Application, knowing the same to be false, in order to procure, or to enable any other Person to procure, a Certificate from the said Inspector of Seamen's Wills or from the Paymaster of Royal Marines as herein-before respectively provided, thereby to obtain, or to enable any other Person to obtain, without Probate or Letters of Administration, Payment of any Wages, Pay, Half Pay, or Pension, or any Allowance from the Compassionate Fund of the Navy, or Payment of any Wages, Prize Money, or Allowances payable in respect of the Services of any Officer, Seaman, or Marine in the Royal Navy, or thereby to obtain, or to enable any other Person to obtain, Probate of the Will or Letters of Administration of the Effects of any deceased Petty Officer, Seaman, Non-commissioned Officer of Marines, or Marine; or if any Person shall receive or demand any Wages, Pay, Half Pay, Prize Money, Bounty Money, Pension, or Arrears thereof, or any other Allowance due or payable in respect of the Services of any Commission or Warrant Officer of the Navy, or Commission Officer of Royal Marines, or of any Petty Officer, Seaman, Non-commissioned Officer of Marines, or Marine, upon or by virtue of any Certificate of the Inspector of Seamen's Wills or Paymaster of Royal Marines respectively as aforesaid, knowing any such Certificate to have been obtained by any false Representation or Pretence; every such Offender shall be deemed guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years and not less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

Punishment for forging Certificates, &c., or uttering false Vouchers.

LXXXVII. And be it further enacted, That if any Person shall forge, or shall utter, offer, or exhibit, knowing the same to be forged, any Paper Writing purporting to be an Extract from any Register of Marriage, Baptism, or Burial, or any Certificate of Marriage, Baptism, or Burial, in order to sustain any Claim to any Wages, Prize Money, or other Monies due or payable in respect of the Services of any Officer, Seaman, or Marine in His Majesty's Navy, or to sustain any Claim to any Half Pay payable to an

Officer of the Royal Navy or Marines, or to any Pension as the Widow of an Officer, or to any Payment or Allowance from the Compassionate Fund of the Navy, or to any Gratuity or Bounty of His Majesty given to the Relatives of Persons slain in Fight with the Enemy; or if any Person shall make any false Affidavit, or utter or exhibit any false Affidavit, Certificate, or other Voucher or Document, in order fraudulently to procure any Person to be admitted a Pensioner as the Widow of an Officer of the Royal Navy, or in order to sustain any Claim to any Wages, Prize Money, or other Monies, or to any Half Pay or Pension, or Arrears thereof, or any Allowance from the Compassionate Fund of the Navy, or to any Gratuity or Bounty as aforesaid, with Intent to defraud any Person whomsoever; every Person in any of the said Cases offending shall be deemed guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years and not less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

As to Principals in the Second Degree, and Accessaries.

LXXXVIII. And be it further enacted, That in the Case of every Offence made Felony by this Act, every Principal in the Second Degree and every Accessary before the Fact shall be punishable in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessary after the Fact to any such Felony shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years; and that where any Person shall be convicted of any Offence punishable under this Act for which Imprisonment shall or may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, as to the Court in its Discretion shall seem meet.

Punishment of Petty Officers, &c. attempting to obtain their Pay by means of false Certificates.

LXXXIX. And be it further enacted, That if any Petty Officer or Seaman, Non-commissioned Officer of Marines or Marine, shall obtain or attempt to obtain his Pay, or any Part thereof, upon or by means of any false or forged Certificate purporting to be a Certificate of Service in or Discharge from any of His Majesty's Ships, or from any Hospital or Sick Quarters, every Person so offending shall be deemed guilty of a Misdemeanor, and, being convicted thereof, shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are by Law liable to.

False Oath or Affirmation punishable as Perjury.

XC. And be it further enacted, That if any Person shall take a false Oath or make false Affirmation in any Case wherein an Oath or Affirmation is authorized or required by this Act to be taken or made, and for which no Punishment is otherwise by this Act provided, every such Person, being thereof duly convicted, shall be liable to such Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by Law subject to.

Recovery and Application of Penalties.

XCI. And be it further enacted, That all pecuniary Penalties exceeding Twenty Pounds imposed by this Act shall and may be

recovered,

recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or *Dublin*, either by Information in the Name of His Majesty's Attorney General, or in the Court of Session in *Scotland* by His Majesty's Advocate, or by Action of Debt in the Name of any Person who may sue for the same; and that all Penalties not exceeding Twenty Pounds shall and may be recovered before any Justice of the Peace in any Part of the United Kingdom in the same Manner, in all respects, as is provided by Two several Acts passed in the Third and Fifth Years of the Reign of His present Majesty, for the Recovery of Penalties by summary Proceeding before Justices of the Peace; and that one Moiety of all such Penalties, when recovered, shall be to the Informer, and the other Moiety shall be paid over to the Treasurer of the Navy, for His Majesty's Use.

Treasurer and Commissioners of the Navy to act as Justices.

XCII. And for the more speedy and effectual bringing to Justice Persons who shall commit any Offence against the Provisions of this Act, be it further enacted, That it shall be lawful for the Treasurer and the Commissioners of the Navy for the Time being, or any One of them, and they are hereby respectively authorized and empowered, from Time to Time, in all Places whatever, to execute the Office and Duty of a Justice and Justices of the Peace in causing any Person charged with any of the Offences mentioned in this Act to be apprehended, committed, and effectually prosecuted for the same; and all Constables, Headboroughs, Keepers of Gaols and Prisons, and all other Officers whatever shall and they are hereby respectively required from Time to Time diligently to execute and obey all such Warrants as shall be made, directed, or given to them, or any of them, by any One or more of the Parties aforesaid, touching any of the Matters and Things herein-before contained; and all the Laws made or to be made for the Ease, Safety, and Protection of Justices of the Peace in the Execution of their Office, shall extend to the Treasurer and Commissioners of His Majesty's Navy respectively acting in the Execution of this Act, and to all Constables and Headboroughs or other Peace Officers or Persons acting under the Warrant or Authority of the said Treasurer or Commissioners, or any of them, as fully and effectually, to all Intents and Purposes, as if the same were herein and hereby repeated and re-enacted.

Definition of Terms.

XCIII. And in order to avoid Doubts as to the Construction of certain Parts of this Act, be it further enacted, That by the Term "Ship" is meant and intended every Description of Vessel employed in His Majesty's Service whose Officers and Crew shall be in the Pay of the Royal Navy; and that by the Term "Captain" is meant and intended the Officer, of whatever Rank he may be, who shall be in the Command of the Ship; and that all Months herein mentioned shall be deemed to be Calendar Months, excepting only in the Computation of Wages, and of the Time for which Officers shall be allowed to draw their Pay, which shall be cast and computed by the Lunar Month of Twenty-eight Days, according to the Custom of the Navy; and that all Persons composing the Complement of a Ship shall be deemed to be Petty Officers or Seamen, Non-commissioned Officers of Marines or Marine respectively, excepting such as shall appear by the Muster Book to be Admirals or Flag Officers, or Commodores, Captains, Commanders, Lieutenants, Masters, Second Masters, Pilots, Physicians,

sicians, Surgeons, Assistant Surgeons, Chaplains, Secretaries to Flag Officers, and their Clerks, Pursers, Boatswains, Gunners, Carpenters, and Commissioned Officers of Marines.

The Admiralty to cause the Act to be executed.

XCIV. And be it further enacted, That the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being shall cause Measures to be taken for providing the several Forms of Books, Bills, Certificates, Tickets, and other Documents authorized or required by this Act; and if any Case not herein provided for shall arise, it shall be lawful for the Lord High Admiral or the said Commissioners to make such Order thereupon as shall be deemed most conducive to the Interests of the public Service and of the Individuals engaged therein, and for carrying the Intentions of this Act into effect; and they shall also cause an Abstract of the Provisions and Regulations herein contained to be made and printed, and a competent Number of Copies thereof to be furnished to the Treasurer of the Navy, principal Officers and Commissioners of His Majesty's Navy at Home and Abroad, to the Commissioners of Customs and Excise in the United Kingdom respectively, to the Governors of His Majesty's Colonies and of the Settlements within the Charter of the *East India* Company, to His Majesty's Consuls Abroad, to the Registrars and Deputy Registrars of the Prerogative Court of *Canterbury*, to the Governors and Agents of Naval Hospitals and Sick Quarters, and to the Commanding Officers of the several Divisions of Royal Marines, who are hereby strictly required to cause the same to be affixed on some conspicuous Part of their respective Offices, and to promulgate the same in their respective Departments; and a competent Number of Copies of such Abstract shall also be supplied to the Captains and Commanding Officers of all His Majesty's Ships, each of whom is hereby enjoined, so soon as the Ship which he shall be appointed to command shall be put into Sea Pay, to cause One of such Abstracts, together with the Articles of War, to be hung up in or affixed to the most public Place in the Ship, and shall cause the same to be constantly kept up and renewed, so that it may be at all Times accessible to the whole of the Crew, and he shall also cause such Abstract to be distinctly and audibly read over Once in every Month in the Presence of the Ship's Company, immediately after the Articles of War are read; and the Commissioners of the Navy are hereby enjoined to inquire whether such Abstract and the said Articles of War have been duly hung up and read as directed, and not to grant to any Captain or Commanding Officer his general Certificate until they shall be fully satisfied thereof, to the end that every Person serving on board His Majesty's Ships may at one and the same Time hear and know the Forfeitures and Punishment he is liable to for Neglect or Disobedience, and likewise the Advantages and Benefits to which he is entitled by a due and faithful Performance of his Duty, and that if he shall suffer any Oppression or Injury in His Majesty's Service, he may be the better enabled to lay his Complaint before the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, who are hereby required, on any Complaint made to them, to cause strict Inquiry to be made into the Circumstances, and if the Complaint shall appear to them to be well founded, to grant Relief forthwith.

SCHE-

SCHEDULE.

TABLE OF FEES

TO BE TAKEN

For PROBATES of WILLS, LETTERS of ADMINISTRATION, and LETTERS of ADMINISTRATION with WILL ANNEXED, of Warrant and Petty Officers, and Non-commissioned Officers of Marines, and also of Common Seamen and Marines, in pursuance of this Act.

PROBATES.					
	Under what Sum the Effects sworn.	Where the Deceased was a Warrant or Petty Officer in the Navy, or a Non-commissioned Officer of Marines.		Where the Deceased was a Common Seaman or Marine.	
		If the Executor be a Wife, Child, Parent, Brother, or Sister of the Deceased.	If the Executor be more remotely related, or a Stranger in Blood to him.	If the Executor be a Wife, Child, Parent, Brother, or Sister of the Deceased.	If the Executor be more remotely related, or a Stranger in Blood to him.
	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
If the Executor sworn in London - -	20	0 7 0	0 16 6	0 7 0	0 16 6
	40	1 0 6	1 10 6	0 11 0	1 1 0
	60	1 4 0	1 13 0	0 14 6	1 3 6
	100	1 8 6	1 15 6	0 19 0	1 6 0
If the Executor sworn in the Country by Commission - -	20	0 19 0	1 12 0	0 19 0	1 12 0
	40	1 17 0	2 12 6	1 7 6	2 3 0
	60	2 1 6	2 15 0	1 12 0	2 5 6
	100	2 8 0	2 17 6	1 18 6	2 8 0

ADMINISTRATIONS, and ADMINISTRATIONS with WILL ANNEXED.

—	Under what Sum the Effects sworn.	Where the Deceased was a Warrant or Petty Officer in the Navy, or a Non-commissioned Officer of Marines.			
		If the Administrator be a Wife, Child, Parent, Brother, or Sister of the Deceased.		If the Administrator be more remotely related, or a Stranger in Blood to him.	
		Administrations Intestate.	Administrations, Will annexed.	Administrations Intestate.	Administrations, Will annexed.
	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
If the Administrator sworn in London -	20	0 12 6	0 15 0	1 3 0	1 8 0
	40	2 5 6	2 9 0	2 16 0	3 2 0
	60	2 9 0	2 14 0	3 6 6	3 14 0
	100	2 13 6	2 18 6	3 9 0	3 16 6
If the Administrator sworn by Commission in the Country	20	0 12 6	0 15 0	1 3 0	1 8 0
	40	0 16 0	0 19 6	2 6 6	2 12 6
	60	0 19 6	1 4 6	2 17 0	3 4 6
	100	1 4 0	1 9 0	2 19 6	3 7 0

—	Under what Sum the Effects sworn.	Where the Deceased was a Common Seaman or Marine.			
		If the Administrator be a Wife, Child, Parent, Brother, or Sister of the Deceased.		If the Administrator be more remotely related, or a Stranger in Blood to him.	
		Administrations Intestate.	Administrations, Will annexed.	Administrations Intestate.	Administrations, Will annexed.
	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.
If the Administrator sworn in London -	20	0 19 6	1 2 0	1 13 6	1 18 6
	40	2 17 0	3 0 6	3 13 0	3 19 0
	60	3 1 6	3 6 6	4 2 6	4 10 0
	100	3 8 0	3 13 0	4 5 0	4 12 6
If the Administrator sworn by Commission in the Country	20	0 19 6	1 2 0	1 13 6	1 18 6
	40	1 7 6	1 11 0	3 3 6	3 9 6
	60	1 12 0	1 17 0	3 13 0	4 0 6
	100	1 18 6	2 3 6	3 15 6	4 3 0

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXI.

An Act to confirm certain Leases of Lands for the Purposes of carrying on the Linen Manufacture of *Ireland*. [29th *May* 1830.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to extend the Powers given by Law to certain Persons for making Leases of Lands for the Purposes of building and carrying on the Linen Manufacture*, reciting and extending the Powers of a former Act of the Parliament of *Ireland*, passed in the Fifth Year of His said late Majesty's Reign, it was enacted, that it should be lawful to and for every Person seised in Possession, in Law or Equity, of any Estate in Fee Tail, or for Life with immediate Remainder over to or in Trust for his Issue, to demise Land out of his said Estate whereof he should be so seised, being no Part of the Demesne usually occupied with the Mansion House, and not exceeding Fifteen Acres, Plantation Measure, in the whole, for Three Lives, renewable for ever, to any Person or Persons who should engage and contract to carry on some Branch of the Linen Manufacture; provided that such Leases should be made upon the Terms and Conditions and subject to the Regulations in the said Act mentioned and contained: And whereas by an Act made in the Parliament of the United Kingdom in the Sixth Year of His present Majesty's Reign, intituled *An Act for the better Regulation of the Linen and Hempen Manufacture in* Ireland, the said recited Acts of the Parliament of *Ireland* were (among others) repealed, 27 G. 3. (I.) 6 G. 4. c. 122.

repealed, and made null and void: And whereas before the passing of the said recited Act of the Sixth Year of His present Majesty's Reign certain Persons had made and entered into Agreements for the demising Lands in *Ireland* for the Purposes and under the Conditions mentioned and specified in the said recited Acts of the Parliament of *Ireland*, or One or both of them; and since the passing of the said Act of the Sixth Year of His present Majesty some of such Persons may have executed Leases in pursuance of such Agreements, and it may happen that other Persons who may have made and entered into such Agreements may not yet have executed Leases in pursuance thereof; and it is expedient that all such Leases should be confirmed and declared valid and effectual, notwithstanding the Repeal of the said Act of the Twenty-seventh Year of His late Majesty: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which any Person, being such Tenant in Tail or for Life as aforesaid, shall, at any Time before the passing of the said recited Act of the Sixth Year of His present Majesty's Reign, have made and entered into and signed any Agreement in Writing for the demising of any Land out of his Estate for the Purposes and under the Regulations mentioned and specified in the said recited Acts of the Parliament of *Ireland*, any and every Lease which at any Time before the passing of this Act shall have been made and executed, and any and every Lease which at any Time after the passing of this Act shall be made and executed, in pursuance of such Agreement so made and signed before the passing of the said Act of the Sixth Year of His present Majesty, shall be good, valid, and effectual to all Intents and Purposes whatsoever, as if such Lease had been made and executed at any Time before the passing of the said Act of the Sixth Year of His present Majesty's Reign: Provided always, that such Lease shall have been or shall be made under the Terms, Conditions, and Restrictions contained and expressed in the said recited Acts of the Parliament of *Ireland* respectively, but not otherwise.

All Leases under Agreements signed before the passing of 6 G. 4. c. 122. declared valid if made according to the Directions of the first-recited Acts.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXII.

An Act for appropriating the *Richmond* Lunatic Asylum in *Dublin* to the Purposes of a District Lunatic Asylum. [29th *May* 1830.]

WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, it is, amongst other Things, enacted, that it should and might be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, to direct and order that any Number of Asylums for the Lunatic Poor in *Ireland* should be erected and established in and for such District in *Ireland* as to the said Lord Lieutenant or other Chief Governor or Governors and Privy Council should seem expedient; and that every such District should and might consist either of the whole or Two or more Counties, or of One or more County or Counties and One or more County or Counties of Cities or Towns, or of One County, or County of a City, or County of a Town only, and no more, but should not in any Case include Part only of any County, County of a City or Town; and that all Lunatic Poor within every such District respectively should be maintained and taken care of in the Asylum belonging to such District; and that every such Asylum established or to be established for any District consisting of more

1 & 2 G. 4. c. 33.

more than One County or One County of a City or County of a Town shall be sufficient to contain such Number of Lunatic Poor, not being less than One hundred nor more than One hundred and fifty in any One Asylum, as shall seem expedient to such Lord Lieutenant or other Chief Governor or Governors and Privy Council; and that where any such District should consist of only One County or County of a City or County of a Town, and no more, every such Asylum should be sufficient to contain such Number of Lunatic Poor, not being less than Fifty, as should seem expedient to such Lord Lieutenant or other Chief Governor or Governors of *Ireland* and Privy Council; and that every Order of Council to be made for any such Purpose should be published in the *Dublin Gazette*: And whereas certain Lunatic Asylums have, since the passing of the said Act, and under the Authority thereof, been from Time to Time erected and established for certain Districts in *Ireland*: And whereas the Building commonly known by the Name of "The *Richmond* Lunatic Asylum," in the City of *Dublin*, has been hitherto used as an Asylum or Hospital for the Reception and Management of Lunatic Patients, and is well adapted to answer the Purposes for a Lunatic Asylum for the City of *Dublin*, and such County or Counties in the Neighbourhood thereof as together with the said City may, under the Provisions of the said Act, be considered proper to constitute One District: And whereas by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, and intituled *An Act to regulate the Appointment of Governors in the* Richmond *Lunatic Asylum in* Dublin, a Power was given to the Lord Lieutenant or Chief Governor or Governors of *Ireland* to appoint Governors of the said Asylum, and such Governors are thereby constituted a Corporation, with the several Powers thereby conferred, and the said Building, and all Ground and Soil thereto belonging, together with all Materials thereon, are vested in the said Governors and their Successors for ever: And whereas, by reason of the said last-mentioned Act, the Appropriation of the said Asylum to the Purposes of a District Lunatic Asylum as herein-before mentioned is attended with Difficulties, which it is expedient to remove: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act of the Fifty-fifth Year of His late Majesty shall be and the same is hereby accordingly repealed, save and except so far as relates to any Matters or Things heretofore done under the Authority thereof, all which Matters and Things shall be and remain valid and in full Force, to all Intents and Purposes, as if this Act had not been made.

55 G. 3. c. 107.

Last-recited Act repealed, except as to Matters already done.

Richmond Asylum shall become a District Lunatic Asylum for the City of Dublin, &c.

II. And be it enacted, That from and after the passing of this Act the said Building called the *Richmond* Lunatic Asylum shall and may be and become a Lunatic Asylum for the County of the City of *Dublin*, and for such other County or Counties as from Time to Time may, under the Provisions of the said Act of the First and Second Years of His present Majesty, be constituted together with the said City of *Dublin* a District for a Lunatic Asylum; and that all Rules, Orders, Regulations, Rights, Powers, Authorities, Privileges, Liabilities,

bilities, Provisoes, and Enactments contained in the said Act of the First and Second Years of His present Majesty shall and may from Time to Time, as Occasion may require, be extended, applied, used, exercised, and enforced to and in respect of the District so to be constituted, in like Manner, to all Intents and Purposes, as in the Case of any District Lunatic Asylum created or established by or subject to the Provisions of this Act.

Grand Juries of Dublin, &c. shall make Presentments for Support of such Asylum;

III. And be it further enacted, That it shall and may be lawful for the Grand Juries of the County of the City of *Dublin* and of the County of *Dublin*, and of each other County which may or shall from Time to Time constitute Part of or be included in the District belonging to the said Asylum, and such Grand Juries are hereby respectively required, to present, to be raised off the said City and each such County respectively, any Sum or Sums of Money requisite to pay the Expences of the said Asylum, as well those of any Building, Alteration, or Reparation thereof, or of the Purchase of any Ground or Property for the Purposes thereof, as those of the Maintenance, Clothing, and other Charges of the Patients therein, in like Manner, with the same Authorities, and under the same Regulations and Restrictions as are provided in and by the said Act of First and Second Years of His present Majesty's Reign with respect to any District Lunatic Asylum.

and also for Expences of removing Patients.

IV. And be it further enacted, That the Grand Juries of the County of the City of *Dublin* and of the County of *Dublin*, and of each County from Time to Time included in the District belonging to the said Asylum, shall and may present, to be raised off the said City and each such County respectively, all such Sums of Money as may be necessary to defray the Expences of transmitting and removing from the said City, or each such County respectively, to the said Asylum, such Persons as it shall be necessary or expedient from Time to Time so to transmit or remove.

Asylum vested in Commissioners under 1 & 2 G. 4. c. 33.

V. And be it enacted, That from and after the passing of this Act the said Asylum, and the Ground and Soil where the same stands, and the several Materials and Appurtenances, shall be and become vested in such Commissioners as shall, pursuant to the Provisions of the said recited Act of the First and Second Years of His Majesty, be nominated and appointed for the District to which the said Asylum shall belong, or any Three of them, and to their Heirs and Successors, in Trust for and to the Uses and Purposes of the said Asylum as such District Lunatic Asylum.

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ANNO UNDECIMO

GEORGII IV. REGIS.

****

CAP. XXIII.

An Act to enable His Majesty to appoint certain Persons to affix His Majesty's Royal Signature to Instruments requiring such Signature.

[29th *May* 1830.]

Most Gracious Sovereign,

WHEREAS Your Majesty has been graciously pleased to communicate to Your Parliament, that Your Majesty is labouring under severe Indisposition, which renders it painful and inconvenient to Your Majesty to sign, with Your own Hand, those Instruments which require the Sign Manual; and that Your Majesty relies upon the dutiful Attachment of Parliament to consider, without Delay, of the Means by which Your Majesty may be enabled to provide for the temporary Discharge of this important Function of the Crown, without Detriment to the Public Service: We, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, have taken Your Majesty's gracious Message into our immediate Consideration; and, although trusting in the Providence of Almighty God that Your Majesty may be speedily restored to Health and Strength, we feel it our Duty to Your Majesty and to the People of this Realm to comply with Your Majesty's most gracious Recommendation; and we do therefore humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, by any Warrant or Commission under His Majesty's Royal Sign Manual, to appoint One or more Person or Persons, to be therein named, not being any or either of the Persons hereby authorized to sign the Memorandum herein-after mentioned, with full Power and Authority to each of them to affix, in His Majesty's Presence, and by His Majesty's Command, given by Word of Mouth, His Majesty's Royal Signature, by means of a Stamp, to be prepared for that Purpose in the Form following; that is to say, "*George* R."; or in Cases where the Royal Signature has usually been by Initials only, then by means of a certain other Stamp, to be prepared for that Purpose in the Form following; that is to say, "*G.* R."; to any Warrant, Commission, or other Writing or Instrument, subject to the Provisions and Regulations herein-after contained; and His Majesty's Royal Signature, so affixed, shall be valid and effectual, and have the same Force and Effect as His Majesty's Sign Manual, and shall be deemed and taken to be, to all Intents and Purposes, His Majesty's Royal Sign Manual, and be obeyed as such.

His Majesty may appoint One or more Persons to affix His Royal Signature, in the Manner herein set forth, to any Warrant or other Instrument requiring the Sign Manual.

II. Provided always, and be it enacted, That no Person so to be appointed shall affix His Majesty's Signature as aforesaid to any Warrant, Commission, or other Writing or Instrument, unless a Memorandum in Writing shall have been previously endorsed thereon, describing the Nature and Object of such Warrant, Commission, or other Writing or Instrument, signed by the Lord High Chancellor, the President of His Majesty's most Honourable Privy Council, the Keeper of His Majesty's Privy Seal, the First Lord Commissioner of His Majesty's Treasury, and His Majesty's Three Principal Secretaries of State for the Time being, or any Three or more of them; and that to His Majesty's Royal Signature so affixed shall be subjoined the Words following; that is to say, "Affixed in His Majesty's Presence, and by His Majesty's Command;" which shall be signed by the Person affixing the same.

A Memorandum, describing the Nature of the Warrant, &c. to be indorsed thereon.

III. Provided also, and be it enacted, That in all Commissions to Officers in His Majesty's Land Forces, the Memorandum to be indorsed thereon as aforesaid shall be signed by the Commander in Chief of His Majesty's Forces, or by the General commanding in chief for the Time being, and that no other Signature shall be required to such Memorandum.

As to Commissions in the Army.

IV. And be it further enacted, That the said Stamps so to be prepared as aforesaid shall be prepared by the Order and under the Direction of the Lord President of His Majesty's most Honourable Privy Council, and shall be kept in the Custody of the Lord High Chancellor, or the President of His Majesty's most Honourable Privy Council, or the Keeper of His Majesty's Privy Seal, or the First Lord Commissioner of His Majesty's Treasury, or One of His Majesty's Three Principal Secretaries of State for the Time being, and shall not be affixed to any such Warrant, Commission, or other Writing or Instrument, except in their Presence, or in the Presence of One or more of them, who shall attest the same accordingly.

Stamps to be prepared for the Purpose by Order of the Lord President: Custody of the same.

V. And be it further enacted, That each of the Persons so authorized to affix His Majesty's Royal Signature shall, before he shall presume to act under His Majesty's Warrant or Commission authorizing him so to do, take and subscribe the following Oath; that is to say, The Persons authorized to affix the Royal Signature shall take an Oath.

'I *A. B.* do swear, That I will not affix the Royal Signature to any 'Warrant, Commission, or other Writing or Instrument, except 'in His Majesty's Presence, and by His Majesty's Command, given 'by Word of Mouth, and according to the Provisions of an Act, 'intituled *An Act to enable His Majesty to appoint certain Persons 'to affix His Majesty's Royal Signature to Instruments requiring 'such Signature;* and that I will truly and faithfully perform the 'Duty entrusted to me by His Majesty under the Provisions of the 'said Act. So help me GOD.'

Which Oath shall be taken before the Lord High Chancellor, who is hereby authorized and required to administer the same.

VI. Provided always, That nothing herein contained shall be construed to prevent His Majesty from signing any Warrant, Commission, or other Writing or Instrument, with His Majesty's Royal Sign Manual, in the usual and accustomed Manner, or to prevent any Warrant, Commission, or other Writing or Instrument, so signed by His Majesty, from having the same Validity and Effect as if this Act had not passed. Not to prevent His Majesty from signing Warrants in the usual Manner.

VII. And be it further enacted, That this Act shall continue and be in full Force until the End of the present Session of Parliament; but the same may be altered or repealed by any Act or Acts to be passed in the present Session of Parliament. Term of Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXIV.

An Act to amend an Act for granting certain Powers and Authorities to a Company to be incorporated by Charter, to be called "The *Australian* Agricultural Company," for the Cultivation and Improvement of Waste Lands in the Colony of *New South Wales*, and for other Purposes relating thereto. [29th *May* 1830.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for granting certain Powers and Authorities to a Company to be incorporated by a Charter, to be called "The* Australian *Agricultural Company," for the Cultivation and Improvement of Waste Lands in the Colony of* New South Wales, *and for other Purposes relating thereto*, it was enacted, that in case His Majesty should, within Three Years next after passing that Act, be pleased, by Charter under the Great Seal of *Great Britain*, to declare and grant that such Persons as therein mentioned should be a Body Politic and Corporate by the Name of "The *Australian* Agricultural Company," for the Purposes therein expressed, the said Company should have and enjoy the Rights and Privileges, and be subject to the Regulations, Restrictions, and Conditions, in the said Act mentioned and contained: And whereas His Majesty was graciously pleased, by His Royal Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the First 5 G. 4. c. 86.

First Day of *November* in the Fifth Year of His Reign, to grant and declare that the several Persons therein named, and such others as were therein expressed, should be a Body Politic and Corporate by the Name of "The *Australian* Agricultural Company," and by that Name should have perpetual Succession and a Common Seal, and by that Name should and might sue and be sued, plead and impleaded, at Law or in Equity; and His said Majesty did thereby declare that the said Corporation should be and was established for the Purpose of cultivating Waste Lands in the said Colony of *New South Wales*, and that the Business and Affairs of the said Corporation should be managed and conducted, and the Officers thereof elected and appointed, in the Manner and Form in and by the said Act provided in that Behalf, and in none other: And whereas some of the Provisions in the said Act contained for the Regulation and Government of the said *Australian* Agricultural Company have been found inconvenient, and it is expedient to alter and amend the same: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Reducing the Number of Directors.

That from and after the passing of this Act no Vacancy already existing or hereafter to arise or exist in the Number of the Directors of the said Company shall be filled up until the Number of Directors shall be reduced below Twelve; and in case the Number of Directors shall be reduced below Twelve, by Death, Resignation, or Disqualification of the existing Directors, before the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, a new Director or Directors, as the Case may require, shall be chosen, in the Manner directed in and by the said Act, to make up the Number of Twelve Directors; and in case the Number of Directors shall not by the Ways and Means aforesaid be reduced to Twelve at or before the said Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, such a Number of the Directors shall then go out of the said Office of Director as shall reduce the Number of existing Directors to Nine, and on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-three, and in each successive Year, Three other Directors shall go out of the said Office of Director; and at the General Meeting of Proprietors which shall be holden on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-two, or within Fourteen Days after, and at the like General Meeting in each succeeding Year, there shall be an Election of Three Proprietors, qualified as in the said Act mentioned, who shall be Three of the Directors of the Affairs of the said Company for Four Years, to be computed from the Day of Election, and until others or another shall be duly elected into their or any or either of their Places.

No Directors to go out by Rotation, nor any to be elected, in 1831.

II. And be it enacted, That none of the Directors shall go out of the said Office, by Ballot or Rotation, on the Third *Tuesday* in the Month of *January* One thousand eight hundred and thirty-one, nor shall any Election of Directors be had at the General Meeting of Proprietors to be then held.

III. And

Regulating the Manner of Directors going out of Office.

III. And be it further enacted, That the Mode of determining the Directors who shall go out of the Office of Director, and the Mode of Election and Right of being re-eligible to the said Office, shall be the same as are in the said Act mentioned, or as near thereto as the Circumstances of the Case will admit of; and that all the Powers and Authorities in and by the said Act vested in the Governor, Deputy Governor, and Twenty-four Directors of the said Company, shall be vested in and shall and may be exercised by the Governor, Deputy Governor, and existing Directors of the said Company, until they shall be reduced to Twelve, and thenceforth by the Governor, Deputy Governor, and Twelve Directors of the said Company, in the same Manner and as amply and fully to all Intents and Purposes as if the same had been Part of the original Constitution of the said Company.

Repealing Provision in former Act respecting Certificate of Shares.

IV. And whereas it is in and by the said Act provided that the said Company, or the Directors to be appointed by virtue of that Act, should cause the Names and Designations of the several Persons who had subscribed for or might at any Time thereafter be entitled to a Share or Shares in the said Company, with the Number of such Share or Shares, and also the proper Number by which every Share should be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by their Clerk, and, after such Entry, a Certificate under the Common Seal of the said Company, and countersigned by the Clerk, should be delivered to every Proprietor, upon Demand, specifying the Share or Shares to which he or she is entitled in the said Company, and such Certificate should be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate should not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof: And whereas the Issue of such Certificate as aforesaid under the Common Seal of the Company has been found to produce Inconvenience; be it therefore enacted, That from and after the passing of this Act no Proprietor shall be entitled to require any such Certificate, nor shall any such Certificate heretofore granted or to be granted be of any Force or Effect whatever.

Amending Provision in former Act respecting the Manner of voting at Meetings.

V. And whereas it is in and by the said Act provided that all Questions at any General or other Meeting of the said Company shall be decided by a Majority of Votes of the Proprietors present, according to their respective Shares, in manner therein mentioned: And whereas the said Provision has been found inconvenient; be it therefore enacted, That it shall and may be lawful to and for the Chairman of any such Meeting to take the Decision of such Meeting, on any Questions submitted to them, by Show of Hands of the Proprietors present; provided that it shall be competent to the Chairman, or to any Two Persons being Proprietors of not less then Ten Shares each, if he or they shall be dissatisfied, to demand that such Question shall be decided by a Majority of Votes of the Proprietors present in the Manner in the said Act provided, which Decision shall be immediately taken in manner therein prescribed.

VI. And

Company authorized to hold Lands in Great Britain.

VI. And whereas it may become necessary for the Purposes of the said Company that the said Company should be authorized to hold Lands and Tenements in the United Kingdom of *Great Britain* and *Ireland*; be it therefore enacted, That it shall and may be lawful to and for the said Corporation to hold to them and their Successors such Lands, Tenements, and Hereditaments in *Great Britain* and *Ireland* as shall be contracted for and purchased or acquired by them, and to hold, alienate, sell, and dispose of the same; provided that the said Corporation shall not at any one Time hold any Lands, Tenements, and Hereditaments in *Great Britain* and *Ireland* exceeding in Value the Sum of One thousand Pounds *per Annum*.

Public Act.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall extend and be in force in the said Colony of *New South Wales* and its Dependencies, and shall be judicially taken notice of as such by all Judges, Justices, and others in the United Kingdom aforesaid, and in the said Colony and its Dependencies, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXV.

An Act to repeal an Act of the Fifty-fifth Year of His late Majesty, for procuring Returns of Persons committed, tried, and convicted for Criminal Offences and Misdemeanors.

[17th *June* 1830.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His late Majesty, intituled *An Act to procure Returns of Persons committed, tried, and convicted for Criminal Offences and Misdemeanors*: And whereas it is expedient that the said Act and the several Provisions therein contained should be repealed: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby repealed. 55G. 3. c. 49. Recited Act repealed.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXVI.

An Act to authorize the issuing of Exchequer Bills for the Payment of the Proprietors of Four Pounds *per Centum* Annuities in *England* and *Ireland* who have signified their Dissent under an Act passed in the present Session for transferring such Annuities into Three Pounds Ten Shillings *per Centum* Annuities.

[17th *June* 1830.]

WHEREAS an Act has passed in this present Session of Parliament, intituled *An Act for transferring certain Annuities of Four Pounds* per Centum per Annum *into Annuities of Three Pounds and Ten Shillings or Five Pounds* per Centum per Annum: And whereas it is necessary that Provision should be made for the Payment of such Persons, Bodies Politic and Corporate, and their Successors, Administrators, and Assigns, who have signified or who shall signify their Dissent, within the Periods respectively prescribed by the said recited Act, from accepting and receiving Three Pounds and Ten Shillings *per Centum* Annuities, under the Provisions of the said recited Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the King's most Excellent Majesty, by Warrant or Warrants under

11 G. 4. c. 13.

His Majesty may authorize the Treasury

to issue Exchequer Bills to an Amount equal to the Stock in the new Four per Cents. for which the Proprietors, &c. decline to accept Annuities after the Rate of 3*l.* 10*s.* per Cent in lieu of 4*l.* per Cent.

under His Royal Sign Manual, to authorize and empower the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer at *Westminster* to an Amount equal to the Stock in the new Four Pounds *per Centum* Annuities in *England* and *Ireland* for which the Proprietors thereof, or Executors, Administrators, Guardians, or Trustees, have signified or shall signify, within the Period limited by the said recited Act, their Dissent from accepting and receiving Annuities after the Rate of Three Pounds and Ten Shillings *per Centum* in lieu of Four Pounds *per Centum* Annuities, under the Provisions of the said recited Act; and all such Exchequer Bills shall be made out and issued in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, (except where other Directions for making out the same are contained and particularly expressed in this Act,) as are specified, prescribed, and contained in an Act made in the Forty-eighth Year of the Reign of His late Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

48 G. 3. c. 1.

Powers of recited Act 48 G. 3. c. 1. extended to this Act.

II. And be it further enacted, That all and every the Clauses, Provisions, Powers, Authorities, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act of the Forty-eighth Year of His late Majesty, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisions, Powers, Authorities, Privileges, Advantages, Penalties, Forfeitures, and Disabilities had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear Interest not exceeding 3*d.* per Cent. per Diem.

III. And be it further enacted, That the said Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Sum of Three-pence *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein; and the Principal and Interest thereof respectively shall be made payable at such Periods as shall be fixed by the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said Lord High Treasurer, for the Time being.

Exchequer Bills to be current at the Exchequer, &c. after they become payable.

IV. Provided always, and be it enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled after the respective Days on which they shall become due and payable, shall and may after that Time pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to His Majesty, His Heirs or Successors, and also at the Receipt of the Exchequer at *Westminster* from the said Receivers or Collectors; but no such Receiver or Collector shall exchange at any Time before the said Day of Payment thereof, for any Money of such Revenues, Aids, Taxes, or Supplies in his Hands, any Exchequer

Bill which shall have been issued as aforesaid by virtue of this Act; nor shall any Action be maintained against such Receiver or Collector for neglecting or refusing to exchange any such Exchequer Bill for ready Money before the said Day of Payment thereof, any thing in this Act to the contrary in anywise notwithstanding; and that such of the same Bills as shall be received at the said Receipt of Exchequer shall and may be locked up and secured as Cash according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

Exchequer Bills to be payable out of the Supplies for 1831.

V. And be it further enacted, That all Exchequer Bills which shall be issued under the Provisions of this Act shall be made chargeable and are hereby charged upon and shall be payable and paid out of any Aids or Supplies to be granted for the Service of the Year One thousand eight hundred and thirty-one.

Commissioners for Reduction of National Debt may purchase Exchequer Bills with Monies or Funds standing in their Names under Acts, 9 G. 4. c. 92., 10 G. 4. c. 24., 10 G. 4. c. 27.;

VI. And whereas certain Monies, Stocks, or Funds have been and may become vested in and standing in the Names of the Commissioners for the Reduction of the National Debt in the Books of the Governor and Company of the Bank of *England*, in pursuance of the several Acts herein-after mentioned; that is to say, an Act of the Ninth Year of His present Majesty, intituled *An Act to consolidate and amend the Acts relating to Savings Banks;* an Act of the Tenth Year of His Majesty, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities and Annuities for Terms of Years;* and another Act of the said Tenth Year, intituled *An Act to amend the several Acts for regulating the Reduction of the National Debt;* be it enacted, That it shall and may be lawful for the said Commissioners to apply such Monies or any Part thereof, and to sell such Stocks and Funds, and to apply the Proceeds thereof, or any Part of such Proceeds, as the said Commissioners shall deem most fit and convenient, in the Purchase of any Exchequer Bills, and advance the Whole or any Part of such Monies, Stocks, or Funds upon the Credit of any such Exchequer Bills; any thing in any Act or Acts to the contrary in anywise notwithstanding.

and shall be entitled to 3½ per Cents for Exchequer Bills purchased with Monies or Funds in their Names under 9 G. 4. c. 92.

VII. And be it further enacted, That at the End of every Quarter of the Year during which such Exchequer Bills shall have been purchased, or during which any such Monies or Proceeds shall have been advanced and lent, under the Provisions of this Act, with and out of any Monies or Funds standing in the Names of the said Commissioners in the Books of the Bank of *England* on account of the said recited Act of the Ninth Year of His present Majesty, the Comptroller General or Assistant Comptroller acting under the said Commissioners for the Reduction of the National Debt shall certify to the Commissioners of His Majesty's Treasury the Amount of the Sums of Money paid or advanced for such Purposes; and thereupon it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby authorized and required, by Warrant or Warrants under their Hands, from Time to Time to order and direct the Governor and Company of the said Bank to direct their Accountant General to enter and place

place to the Credit of the said Commissioners for the Reduction of the National Debt, upon the Account standing in the Books of the said Bank under the Title of "The Fund for the Banks for Savings," an Amount of new Three Pounds and Ten Shillings *per Centum* Annuities equal to the Sum expressed in any such Warrant; and the first half-yearly Payment of the Dividends upon such Annuities shall be made on the Day on which the next half-yearly Dividend shall be payable on the Three Pounds Ten Shillings *per Centum* Annuities created by the said Act of this present Session of Parliament.

Such 3½ per Cents shall form Part of new Three per Cents under Act of this Session.

VIII. And be it further enacted, That the Three Pounds and Ten Shillings *per Centum* Annuities which shall from Time to Time be placed to the Credit of the Commissioners for the Reduction of the National Debt, by virtue of such Warrants of the Commissioners of the Treasury, under this Act, shall be deemed and taken to be and shall from Time to Time be added to and shall form Part of the Capital of the new Three Pounds and Ten Shillings *per Centum* Annuities created by the said recited Act of this present Session of Parliament; and the Dividends arising therefrom shall, as the same shall become due, be charged upon and be payable out of, and the same are hereby made chargeable upon, the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Cancelling of Exchequer Bills.

IX. And be it further enacted, That all Exchequer Bills which shall be purchased or upon which Monies shall be advanced by the said Commissioners for the Reduction of the National Debt, under the Provisions of this Act, (except as herein-after excepted,) shall be delivered from Time to Time to the Paymaster of Exchequer Bills, to be cancelled.

Commissioners may retain and exchange for other Exchequer Bills such as shall be purchased on account of the Act 9 G. 4. c. 92.

X. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners for the Reduction of the National Debt (if and whenever they shall deem it expedient to do so) to retain, and exchange for other Exchequer Bills, from Time to Time, according to the usual Course of the Exchequer, the Whole or any Part of the Exchequer Bills purchased or upon which Monies shall have been advanced by them, under the Provisions of this Act, with the Monies or Funds standing in their Names in the Books of the said Bank on account of the said recited Act of the Ninth Year of His present Majesty, in lieu of receiving Three Pounds and Ten Shillings *per Centum* Annuities for the same, as herein-before directed; any thing in this Act contained to the contrary in anywise notwithstanding.

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ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXVII.

An Act to make Provision for the lighting and watching of Parishes in *England* and *Wales*.

[17th *June* 1830.]

WHEREAS it is desirable to make Provision for the lighting and watching of the several Parishes in *England* and *Wales*; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act and the several Provisions thereof shall apply to and may be adopted, under and subject to the Regulations herein contained, by all or any or either of the Parishes in *England* and *Wales*.

Act applicable to all Parishes.

II. And be it further enacted, That from and after the passing of this Act, upon the Application of Three or more of the rated Inhabitants of any Parish, it shall be lawful for the Churchwardens thereof, and they are hereby required, within Ten Days after the Receipt of such Application as aforesaid, to appoint and notify a Time and Place for a public Meeting in Vestry of the Inhabitants of the said Parish, for the Purpose of determining whether the Provisions in this Act contained shall be adopted and carried into execution in the said Parish: Provided always, that the Time appointed for holding the said Meeting shall not be less than Ten Days and not more than Twenty-one Days from the Time of the said Application so being delivered

On Application of Three rated Inhabitants, Churchwardens to convene a Meeting in Vestry to determine whether the Provisions of this Act shall be adopted.

delivered to them as aforesaid, and that Notification of the Time and Place of Meeting shall be made by forthwith affixing a Notice on the principal outer Door of every Parish Church or Chapel situate within such Parish, and also by Publication of the same in the Parish Church or Chapel, on the *Sunday* previous to the Day appointed for holding such Meeting, during or immediately after Divine Service.

At such Meetings Inhabitants to vote according to Amount rated to Relief of the Poor.

III. And be it further enacted, That at any such Meeting every Inhabitant present, who shall by the last Rate which shall have been made for the Relief of the Poor of the Parish have been assessed and charged upon or in respect of any annual Rent, Profit, or Value not amounting to Fifty Pounds, shall have and be entitled to One Vote and no more; and every Inhabitant then present, who shall in such last Rate have been assessed or charged upon or in respect of any annual Rent or Rents, Profit or Value, amounting to Fifty Pounds or upwards, (whether in One or more than One Sum or Charge,) shall have and be entitled to give One Vote for every Twenty-five Pounds of annual Rent, Profit, and Value upon or in respect of which he shall have been assessed or charged in such last Rate, so nevertheless that no Inhabitant shall be entitled to give more than Six Votes; and in Cases where Two or more of the Inhabitants present shall be jointly rated, each of them shall be entitled to vote according to the Proportion and Amount which shall be borne by him of the joint Charge; and when One only of the Persons jointly rated shall attend, he shall be entitled to vote according to and in respect of the whole of the joint Charge; provided that when any Person shall have become an Inhabitant of any Parish, or become liable to be rated therein, since the making of the last Rate for the Relief of the Poor thereof, he shall be entitled to vote for and in respect of the Lands, Tenements, and Property within such Parish for which he shall have become liable to be rated and shall consent to be rated, in like Manner as if he had been actually rated for the same; provided also, that no Person who shall have refused or neglected to pay any Rate for the Relief of the Poor which shall be due and shall have been demanded of him shall be entitled to vote or be present at any such public Meeting in Vestry of the Inhabitants of the Parish for which such Rate shall have been made, until he shall have paid the same.

Chairman to be elected.

IV. And be it further enacted, That such Person as may be elected by the Inhabitants present shall preside as Chairman at such Meetings; and that if any Controversy shall arise at any such Meeting as to the Qualification or Right of voting or Eligibility of any Person claiming to vote, or as to the Qualification or Eligibility of any Candidate, such Controversy shall be determined by the Chairman presiding at such Meeting.

Chairman to read Requisition, &c.

V. And be it further enacted, That the Chairman who shall preside at any Meeting assembled as herein-before directed shall read or cause to be read the Requisition whereupon the Meeting shall have been summoned, and shall require the Persons assembled thereat to determine, by Majority of Votes, whether the Provisions of this Act as herein-after set forth shall or shall not be adopted and acted upon

within such Parish: Provided nevertheless, that it shall be lawful for the Majority of the rated Inhabitants present to adjourn such Meeting from Time to Time.

If Meeting determine to proceed, the Provisions of this Act shall thenceforth take effect.

VI. And be it further enacted, That if at any such Meeting it shall be determined by a Majority of Three Fourths of Votes, ascertained as aforesaid, that the Provisions of this Act shall be adopted, then and in such Case such Provisions shall from thenceforth take effect and come into operation in such Parish; and it shall forthwith be determined that a certain Number, not being more than Eleven nor less than Three Inspectors, shall be elected to carry such Purposes into effect; and the Number of Inspectors so determined upon shall be elected in manner herein-after mentioned.

Inhabitants to fix the Maximum of Rate.

VII. And be it further enacted, That the Inhabitants of any Parish adopting the Provisions of this Act shall, at the first Meeting or some Adjournment thereof, fix the highest Amount of Rate in the Pound which the said Inspectors shall have Power to call for in any One Year in order to carry into effect the Provisions of this Act.

If Meeting determine against adopting this Act.

VIII. And be it further enacted, That in case any such Meeting convened as aforesaid shall have determined against adopting the Provisions of this Act, it shall not be lawful for the Inhabitants to meet again in less than One Year from the Period at which such Meeting shall have been convened for the Purposes of this Act.

Mode of electing Inspectors.

IX. And be it further enacted, That the Inspectors herein-before mentioned shall be elected in manner following; (that is to say,) each Candidate, being a Person who shall reside within such Parish, and who shall have been assessed or charged by the last Rate made for the Relief of the Poor in respect of a Dwelling House or other Tenement or Premises of the annual Value, according to the said Rate, of Fifteen Pounds or more, shall be eligible to be elected an Inspector for the Purposes of this Act, and shall be proposed at the said Meeting by some Person duly qualified to vote thereat, and shall be seconded by some other Person in like Manner qualified; and if more Candidates than the Number of Inspectors authorized to be elected shall be proposed, and a Poll shall be demanded by any Ten Persons qualified to vote, on behalf of any such Candidates, then the Chairman shall open and proceed with such Poll, and in a Book or Books prepared for that Purpose, which Book or Books the Churchwardens are hereby required to cause to be prepared, shall enter or cause to be entered the Name of all such Candidates and the Name of every Person duly qualified to be present and vote, who shall desire to vote, together with his Description and Abode, and shall register the Vote of every such Person for every or any such Candidate as every such Person may respectively require; and if the Votes of all the Persons duly qualified and desirous to vote cannot be conveniently collected and registered by Four of the Clock of the same Day upon which the Poll shall have been commenced, then the Chairman shall at that Hour adjourn such Poll to the Day next succeeding, unless such Day shall be a *Sunday*, *Christmas Day*, or *Good Friday*,

Friday, and in that Case to the Day following, and then proceed to collect and register the Votes of all Persons duly qualified and applying to vote; provided nevertheless, that the Poll shall finally close at Four o'Clock on the Day to which it shall have been adjourned, or sooner, provided all Persons duly qualified and desirous to vote shall have voted, and after the Lapse of One Hour without any Person offering to vote; and as soon after the Close of the Poll as may be possible, the Result thereof shall be declared at the Place where the Election may have been holden, and certified by the Chairman to the Overseers of the Poor; and the said Churchwardens shall be reimbursed all such reasonable Charges and Expences as may be incurred in providing Clerks and Books, and otherwise in the Performance of the Duties hereby required of them, by the Candidates at the said Election for the said Office.

Inspectors to go out of Office on the 29th of September of every Third Year.

X. And be it further enacted, That every Person who shall be elected an Inspector in any Parish under the Provisions of this Act shall go out of Office on the Twenty-ninth Day of *September* in the Third Year from the said first Election; and in place of such Inspectors so going out of Office a like Number of other Inspectors, to be elected as herein-after provided, shall come into Office, and remain in Office for Three Years, and at the Expiration of such last-mentioned Term of Three Years shall in like Manner go out of Office and be succeeded by other Inspectors, who shall remain in Office for a like Term of Three Years, and so on for ever: Provided always, that any of such outgoing Inspectors shall be re-eligible and may be re-elected, and shall in such Case continue to act and remain in Office, any thing herein contained to the contrary notwithstanding.

Triennial Meetings for electing Inspectors to be held on the Second Monday in September.

XI. And be it further enacted, That the Churchwardens of any Parish to which the Provisions of this Act shall be extended shall, previous to the Second *Monday* in *September* in every Third Year, give due Notice, in the Manner by this Act required with respect to the first Meeting to be held under this Act, that a Meeting will be holden on such Second *Monday* in *September* for the Election of Inspectors for the Execution of this Act for the Three Years next succeeding; and the Chairman appointed to preside at such Election shall proceed in such Manner as the Chairman at the first Meeting to be held under this Act is herein-before directed to proceed in the Election of the Inspectors to be first appointed for the Execution of this Act, and shall decide on Questions which may arise as to the Eligibility or Qualification of any Person whatsoever, and as to all Matters whatsoever connected with the said Election, and shall declare the Result of the same as aforesaid.

How Vacancies in the Number of Inspectors shall be filled up.

XII. And be it further enacted, That in case any Inspector shall die, or become disqualified by Change of Residence or otherwise, or shall neglect to act, and in case of any casual Vacancy happening in any Manner whatever, so that the Number of Inspectors shall be reduced to less than Three, Notice shall be immediately given by the acting Inspectors to the Churchwardens of the Parish, who shall forthwith in the Manner directed by this Act call a Meeting of the Inhabitants

Inhabitants as aforesaid, for the Purpose of filling up such Vacancy or Vacancies.

Inspectors to meet monthly.

XIII. And be it further enacted, That the Inspectors for executing this Act in any Parish shall meet on the First *Monday* in every Month at Noon at some convenient Place or Office previously publicly notified; and at such monthly Meeting it shall be lawful for any Inhabitant rated to the Relief of the Poor of any such Parish to appear there and prefer any Matter of Complaint which he may think proper to make concerning any Matter or Thing done by force or in pursuance of or under Pretence of the Provisions of this Act.

Special Meetings of Inspectors.

Quorum.

XIV. And be it further enacted, That such Inspectors shall meet at all other Times and so often as at any previous Meeting shall be determined upon; and it shall be at all Times competent for any One Inspector, when Three Inspectors only shall have been appointed, and in all other Cases for any Two Inspectors, by Writing under his or their Hands, to summon, upon at least Forty-eight Hours Notice, the Inspectors, for any special Purpose therein named, and for such Time as shall be therein named; and that at all Meetings of such Inspectors any Number not less than One Third of the whole Number, when more than Three Inspectors shall have been appointed, and when only Three Inspectors shall have been appointed, then not less than Two Inspectors, shall constitute a Quorum for transacting Business.

Inspectors to appoint Officers during Pleasure, and rent an Office for the Transaction of their Business.

XV. And be it further enacted, That it shall be lawful for the said Inspectors elected in any Parish under this Act for the Time being, and they are hereby authorized and required, to appoint, during Pleasure, such Treasurer and other Officers as they shall think necessary for effecting the Purposes of this Act, and to remove and displace the same, and to hire and rent a sufficient Office or House or Room for holding their Meetings and transacting their Business, and also to appoint suitable Salaries, Wages, and Allowances to and for such Treasurer and other Officers, and also to agree for a reasonable Rent for such Office or House or Room, and to pay such Salaries, Wages, and Allowances, and such Rent, out of the Monies received by the Inspectors under the Authority of this Act: Provided nevertheless, that no Person shall at the same Time hold Two Offices or Situations under the said Inspectors.

Security to be taken from Treasurer.

XVI. And be it further enacted, That it shall be lawful for the said Inspectors, or any Two or more of them, and they are hereby required, to take Security from the Treasurer to be appointed by virtue of this Act, for the due Execution of his Office of Treasurer according to the true Intent and Meaning of this Act, which Security shall be to the full Amount of the Sum likely to be in the Hands of the said Treasurer at any One Time; and in case any such Treasurer shall neglect or refuse, for the Space of Three Weeks next after his Appointment, to give or offer such Security to the Satisfaction of the said Inspectors, then the Appointment of every such Person so neglecting or refusing shall be null and void to all Intents and Purposes, and the said Inspectors shall within Three Weeks then next assemble and appoint

point some other fit and proper Person to the Office of Treasurer instead of the Person so refusing or neglecting as aforesaid, and shall so assemble and appoint from Time to Time until Security shall be given to their Satisfaction as aforesaid.

Treasurer and Officers to account.

XVII. And be it further enacted, That every such Treasurer and other Officer appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Inspectors shall direct, deliver to the aid Inspectors, or such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer received by virtue of or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and that every such Officer shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person or Persons as the said Inspectors shall appoint to receive the same;

Proceeding against Officers neglecting to account.

and if any such Treasurer, Officer, or other Person shall refuse or neglect to make and render such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Inspectors, or to such Person or Persons as they shall appoint to receive the same, within Three Days after being thereunto required by the said Inspectors by Notice in Writing under the Hands and Seals of any Two or more of the said Inspectors given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Inspectors, or such other Person or Persons as aforesaid, respecting the same, then and in every such Case, upon Complaint made by the said Inspectors, or by such Person or Persons as they the said Inspectors shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer so refusing or neglecting to appear before Two Justices of the Peace; and upon the said Officer appearing, or having been so summoned and not appearing without some sufficient and reasonable Excuse, or not being found, it shall be lawful for the said Justices to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justices are hereby empowered to administer), it shall appear to such Justices that any Monies remain due from such Officer, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods and Chattels of such Officer shall be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justices that such Officer had refused or wilfully neglected to render and give such Account or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained

mained in the Hands or in the Custody or Power of such Officer, and he refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justices shall and they are hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Inspectors for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Inspectors are hereby empowered to make and receive,) and until he shall have delivered up such Books, Papers, and Writings, or given Satisfaction in respect thereof to the said Inspectors or to such other Person or Persons as aforesaid; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Three Calendar Months.

Commitment of Offender not to discharge his Sureties.

XVIII. And be it further enacted, That no Prosecution or Commitment, under the Provisions of this Act, of any Treasurer or other Officer or Person to be appointed under the Powers of this Act, shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Inspectors for the due and faithful Execution of his or their Office, or the Payment of the Monies received or to be received by him or them respectively.

Officers taking any Fee or Reward, besides the Salary or Fees appointed, to forfeit 50*l.*

XIX. And be it further enacted, That if any Person who shall be employed as Treasurer, or any other Officer or Servant who shall be in anywise employed by the said Inspectors for putting this Act or any of the Powers thereof into execution, shall exact, take, or accept any Fee or Reward whatsoever, other than such Salaries, Allowances, and Rewards as are appointed by this Act, or shall be appointed, allowed, and approved of by the said Inspectors, for or on account of any thing done or to be done by virtue of this Act, or on any Account whatsoever relative to putting this Act into execution, or shall in anywise be concerned or interested in any Bargain or Contract made or to be made by the said Inspectors, every such Person so offending shall be incapable of ever serving or being employed under this Act, and shall over and above forfeit the Sum of Fifty Pounds to any Person or Persons who shall sue for the same.

Inspectors may sue and be sued in the Name of any one of them.

XX. And be it further enacted, That the said Inspectors may sue and be sued in the Name of any One of the Inspectors for the Time being; and all Actions or Suits that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of any One of the said Inspectors; and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Inspectors, or any of them, by virtue or on account of this Act, shall abate or be discontinued by the Death of such Inspector, but such

such Inspector shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may be): Provided also, that in all Cases in which the Inspector as aforesaid shall in pursuance of this Act be the Plaintiff or Defendant on the Record in any Action or Actions, Suit or Suits, in which in effect the said Inspectors shall be suing or sued in the Name of such One Inspector as aforesaid, he (although appearing as the Plaintiff or Defendant on the Record) may and shall nevertheless (if not otherwise interested or objectionable) be a good, examinable, and competent Witness in every Action or Suit, either for or against the said Inspectors; and all the Affidavits of Debt or Service which may be necessary or expedient to be made preparatory to or in the Prosecution or Defence of any and every such Action, Suit, or Proceeding, shall and may be lawfully made by such One Inspector, notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every or any such Inspector in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being made Plaintiff or Defendant therein, and shall not be personally answerable or liable for the Payment of the same or any Part of them, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Inspectors.

Proceedings at Meetings of Inspectors to be entered in Books, which shall be good Evidence.

XXI. And be it further enacted, That all Acts, Orders, and Proceedings of the said Inspectors at any of their Meetings shall be entered in a Book to be kept by them for that Purpose, and shall be signed by Two of the Inspectors then present; and all such Acts, Orders, and Proceedings shall then be deemed and taken to be original Acts, Orders, and Proceedings; and such Books shall and may be produced and read as Evidence of all such Acts, Orders, and Proceedings upon any Appeal or Trial or Information, or any Proceeding, Civil or Criminal, and in any Court or Courts of Law or Equity whatsoever.

Accounts to be kept.

XXII. And be it further enacted, That the said Inspectors shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept, in which Book or Books shall be entered true and regular Accounts of all Sums of Money received, paid, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Inspectors and of every Inhabitant rated to the Relief of the Poor of the Parish adopting the Provisions of this Act, without Fee or Reward; and the said Inspectors and other Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying for the same; and in case the said Inspectors shall refuse to permit or shall not permit the said Persons aforesaid to inspect the same, or take Copies or Extracts as aforesaid, such Inspector shall forfeit and pay any Sum

of

of Money not exceeding Five Pounds for each Default, to be levied and applied in manner herein-after provided.

Accounts to be made out annually.

XXIII. And be it further enacted, That in the Month of *September* in every Year a true Account shall be made in Writing of all Monies received and paid by virtue of this Act during the preceding Year ending upon the Thirty-first Day of *August* in every Year; and a Copy or Duplicate of such Account, verified on Oath before any Two Justices of the Peace by the said Inspectors or any Two of them, shall be deposited with the said Inspectors, and shall be open to the Inspection of all Parties interested.

Inspectors to issue an Order to Overseers for Payment of Money for the Purposes of this Act.

XXIV. And be it further enacted, That as soon as the Inspectors have been elected as aforesaid, it shall be lawful for them, or any Two or more of them, from Time to Time to issue an Order under their Hands to the Overseers of the Poor of any Parish to which the Provisions of this Act shall be extended, by which Order they shall require the said Overseers to levy the Amount mentioned in the said Order: Provided always, that the Order shall specify the Rate in the Pound at which the Sum mentioned therein shall be computed.

Power to collect Rates.

XXV. And be it further enacted, That the Overseers aforesaid shall, for the Purpose of collecting, raising, and levying such Rate, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor in the said Parish; provided that the Owners or Occupiers of Land situate in any Parish adopting the Provisions of this Act shall be assessed in the Proportion of One Fourth of the Rate so authorized to be demanded by the said Inspectors, and the Owners or Occupiers of Houses, Buildings, and other Property rateable to the Relief of the Poor, shall be assessed in the Proportion of the remaining Three Fourths of the said Rate: Provided also, that the Sum to be raised, collected, and levied for the Purposes of this Act shall not exceed in the whole in any One Year the Rate of so much in the Pound on the full and fair annual Value of all Property rateable for the Relief of the Poor within such Parish as shall have been determined on by the Inhabitants at the Meeting assembled in manner herein-before directed, such full and fair annual Value to be computed according to the last Valuation for the Time being acted upon in assessing the Poor's Rate for the said Parish.

Overseers to pay Amount to Treasurer.

XXVI. And be it further enacted, That the Overseers of the Poor of every Parish adopting the Provisions of this Act, to whom any such Order as aforesaid shall be issued, shall pay over the Amount mentioned in such Order to the Treasurer to be appointed in the said Parish under this Act within Forty Days from the Delivery of such Order to One of the Overseers, and shall keep the Accounts of the said Rate levied for the Purposes of this Act separate and distinct from the Accounts of the Rates levied in the same Parish for the Relief of the Poor; and at the Time of making any Payment to the said

said Treasurer the said Overseers shall deliver to him a Note in Writing, signed by them, specifying the Amount so paid, which Note shall be kept by the Treasurer as a Voucher for his Receipt of that particular Amount; and the Receipt of the said Treasurer, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount, and shall be allowed as such in passing their Accounts with their respective Parishes.

Receipt of Treasurer to be Discharge to Overseers.

Where other Persons are authorized to collect Poor's Rates, such Persons to be deemed Overseers.

XXVII. And be it enacted, That where any Persons other than the Overseers of the Poor shall, by virtue of any Office or Appointment, be authorized and required to make and collect or cause to be collected the Rate for the Relief of the Poor in any Parish to which all or any of the Provisions of this Act shall be extended, such Persons, by whatsoever Title they may be called, shall be deemed to be Overseers of the Poor within the Meaning of this Act, and to be included under and denoted by the Words "Overseers of the Poor," for all the Purposes of this Act, as fully as if they were commonly called or known by the Title of Overseers of the Poor.

Overseers may be distrained upon for Nonpayment.

XXVIII. And be it enacted, That in case the Amount directed by such Order as aforesaid to be paid by the Overseers in any Parish to which all or any of the Provisions of this Act shall be extended shall not be paid to the said Treasurer within the Time specified for that Purpose in the said Order, any Justice of the Peace, upon Complaint thereof made to him by the said Treasurer, may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the said Overseers so refusing or neglecting to pay such Money as aforesaid to appear before Two Justices of the Peace; and upon the said Overseers appearing, or having been so summoned and not appearing, without some sufficient and reasonable Excuse, or not being found, it shall be lawful for the said Justices, in case the said Money is not paid, to issue their Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers shall not be sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Method.

Watchmen to be appointed.

XXIX. And be it further enacted, That the said Inspectors shall from Time to Time appoint and employ such Number of able-bodied Watch-house Keepers, Serjeants of the Night, Watchmen, Patrols, Streetkeepers, and other Persons, as they shall think sufficient for the proper Protection of the Inhabitants, Houses, and Property, Streets and other Places, within the Limits of this Act, by Day and by Night, and provide all such Watchmen, Watch-house Keepers, Serjeants of the Night, Patrol, and Persons as aforesaid, with such Clothing, Arms, Ammunition, and Weapons, and shall assign to them such Beat and Rounds and Duties, and appoint such Hours for them to be on Duty, and also such Wages, Rewards, and Gratuities or Remunerations for their Services, and also make such Rules, Orders, and Regulations relative to such Watch-house Keepers, Serjeants of the Night,

Watchmen, Patrol, Streetkeepers, and other Persons, and their Duties, as to the said Inspectors shall seem meet; and also shall and may offer and give as well to the said Persons, as to any other not specially employed by them, such Gratuities and Rewards for apprehending Felons and others, Offenders within the Limits of this Act, as to them shall seem proper; and shall and may defray the Expences of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants of any Parish adopting the Provisions of this Act, or in defending any of the said Persons or other Officers of the said Inspectors in the Execution of their Duty, as they shall think proper; and the said Wages, Rewards, Gratuities, and the Costs of such Prosecutions or Defences, and all other Expences that may be incurred by the said Inspectors for the Protection and Guard of the Inhabitants, shall and may be paid by the said Inspectors out of the Monies received in pursuance of this Act.

Duty of Watchmen, &c.

XXX. And be it further enacted, That the Watchmen, Serjeants of the Night, Patrols, and other Persons to be appointed by virtue of this Act shall, during the Time they shall be on Duty, use their utmost Endeavours to prevent any Mischief by Fire, and also to prevent all Robberies, Burglaries, and other Felonies and Misdemeanors, and other Outrages, Disorders, and Breaches of the Peace, within the Limits of the Parish adopting the Provisions of this Act, and to apprehend and secure all Felons, Rogues, Vagabonds, and disorderly Persons who shall disturb the public Peace, or any Person or Persons wandering, secreting, or misbehaving himself or themselves, or whom they shall have reasonable Cause to suspect of any evil Designs, and to secure and keep in safe Custody every such Person, in order that he or she may be conveyed as soon as conveniently may be before One of His Majesty's Justices of the Peace, to be examined and dealt with according to Law; and it shall and may be lawful to and for the said Watchmen, Serjeants of the Night, Patrols, and other Person or Persons so appointed as aforesaid to call and require any Person or Persons to aid and assist them in taking such Felons, Rogues, Vagabonds, and all disorderly or suspected Persons as aforesaid; and in case any Person or Persons shall assault or resist, or shall promote or encourage the assaulting or resisting, any of the Watchmen, Serjeants of the Night, Patrols, or other Person or Persons so appointed as aforesaid, in the Execution of their Duty, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Watchmen, &c. to be sworn in, and to have the Power of Constables.

XXXI. And be it further enacted, That all Watchmen, Serjeants of the Night, and Patrols shall be sworn in as Constables before any Justice of the Peace, and act as such while in execution of the Powers and Authorities of this Act; and they are hereby invested with, and shall have and enjoy, the like Powers and Authorities, Privileges and Immunities, and shall be subject and liable to such and the like Penalties and Forfeitures, as any Constable or Constables is or are invested with, or shall or may have and enjoy, or is or are or shall be subject or liable to by Law.

XXXII. And

Fire Engines to be provided.

XXXII. And be it further enacted, That it shall be lawful for the said Inspectors and they are hereby required from Time to Time to provide and keep up Fire Engines, with Pipes and other Utensils proper for the same, for the Use of the Parish adopting the Provisions of this Act, and to provide a proper Place or Places for the keeping of the same, and to place such Engines under the Care of some proper Person or Persons, and to make him or them such Allowance for his or their Trouble as may be thought reasonable; and the Expences attending the providing and keeping of such Engines shall be paid out of the Money authorized to be received by the Inspectors under the Provisions of this Act.

Lamp Irons to be put up.

XXXIII. And be it further enacted, That it shall be lawful for the said Inspectors and they are hereby empowered from Time to Time to cause such Lamp Irons or Lamp Posts, or other Posts, to be put or fixed upon or against the Walls or Palisadoes of any Houses, Tenements, Buildings, or Inclosures, (doing as little Damage as may be practicable thereto,) or to be put up and erected in such other Manner within all or any of the said Roads, Streets, and Places within the Limits of this Act, as they shall think proper, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed and put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting all or any of such Roads, Streets, and Places, and cause the same to be lighted with Gas, Oil, or otherwise, for such Number of Hours in every Twenty-four Hours as they shall think necessary; and also to cause such a Number of Watch-houses or Watchboxes to be provided, erected, or affixed, as they shall think necessary for watching all or any of the Streets, Roads, and Places within the Limits of this Act.

Gas Pipes not to be laid on private Premises without Consent.

XXXIV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Inspectors, or any Body or Bodies Politic or Corporate, or Person or Persons, contracting with the said Inspectors for lighting with Gas such Roads, Streets, and public Places, to carry or lay any Pipe or Pipes, Cocks, or Branches from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, or to continue the same, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings respectively, nor to enable any Body or Bodies Politic or Corporate, or Person or Persons, contracting with the said Inspectors for lighting such Streets and public Places, to enter into or upon any private Lands or Grounds, without the Consent in Writing of the Owner or Owners, Occupier or Occupiers of such Lands or Grounds, for that Purpose first had and obtained.

Owners of private Ground may alter Position of Pipes.

XXXV. Provided also, and be it further enacted, That in case the Soil, Pitching, or Pavement of any Road or Way, for the Purpose of laying any Gas Main or Gas Pipe along, under, or across the same, be broken up, with the Consent of the Owner or Owners of the Soil for the

the Time being, and after the same shall have been so laid and placed such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners, at any Time or Times thereafter, if he, she, or they shall deem it necessary or expedient, at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to re-lay the same, so that no Damage be done thereby to the said Body or Bodies Politic or Corporate, or Person or Persons, contracting with the said Inspectors, and so that such Body or Bodies Politic or Corporate, or Person or Persons, contracting with the said Inspectors as aforesaid, be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

For stopping the Escape of Gas.

XXXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by Order of the said Inspectors in pursuance of this Act, the Body or Bodies Politic or Corporate, or Person or Persons whosoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any Houses, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, shall, at their own Expence, immediately after receiving Notice by Parol or in Writing, to be given or left at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Body or Bodies Politic or Corporate, or Person or Persons, as aforesaid, shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Politic or Corporate, or Person or Persons, as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before any Two Justices of the Peace, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any such Body or Bodies Politic or Corporate, or Person or Persons, as aforesaid, by the Warrant of any Two Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by virtue of this Act.

Penalty for neglect.

Power to convey away Washings of Gas Works.

XXXVII. And be it further enacted, That it shall be lawful for the Body or Bodies Politic or Corporate, or other Person or Persons whosoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the

Provisions of this Act, to lay Iron Pipes of such Breadth, Depth, and Dimensions, and in such Manner as they shall think expedient, under the Roads, Streets, and other public Places within the Limits of this Act, for the Purpose of carrying off the Washings or other waste Liquids which may arise in the Prosecution of the Works aforesaid, the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, doing as little Damage as may be in laying the said Pipes, and immediately repairing, at their own Expence, all such Damage; provided that no such Washings or other waste Liquids, or any other Matter or Thing made or arising in the Manufacture of such Gas, shall be conducted or conveyed into any River, Brook, Canal, or running Stream, and that no such Pipe shall be laid in any Situation where the same can, shall, or may in any Manner interfere with, prejudice, or affect any of the present or future public or private Wells, Sewers, or Drains within the Limits of the Parish adopting the Provisions of this Act, or without the Consent of the said Inspectors.

Penalty for conveying Washings into any River, &c.

XXXVIII. And be it further enacted, That if any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any other Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case any such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons so offending as aforesaid shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Law, by regular or summary Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not have been sued for or recovered, in

case any of the said Washings or other waste Liquid, or noisome or offensive Liquid, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring-head or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any of them, or other the Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, so offending, or to his, her, or their Clerk or Clerks, or to any Person in his or their Service or Employ, and such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop and hinder or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person or Persons so offending shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XXXIX. And be it further enacted, That all and every the Pipes or other Conduits to be used or laid for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, or other Place within the Limits of any Parish adopting the Provisions of this Act, shall be so laid at the greatest practical Distance, and, whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, or other Places within the Limits of any Parish adopting the Provisions of this Act, excepting in

in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practical Distance therefrom, and shall form therewith a Right Angle, and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Contractors or other Persons supplying Gas shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds.

To prevent Escape of Gas and Contamination of Water.

XL. And be it further enacted, That whenever the Water of any Company of Proprietors for supplying the Inhabitants of any Houses within the Limits of any Parish adopting the Provisions of this Act with Water shall be contaminated by any of the Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, the Body or Bodies Politic or Corporate, or Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Company or other Persons making, furnishing, or supplying such Gas shall, within Twenty-four Hours next after the Notice thereof in Writing, signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person making use of such Water, to be left at the usual Place or Office of transacting Business of the said Body or Bodies Politic or Corporate, or other Person or Persons, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company as aforesaid; and in case the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, shall on such and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company as aforesaid, for

for the Use and Benefit of the same Company, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said last-mentioned Company shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the said Water Company as aforesaid, or by and in the Name of any One or more of the Directors of the said Company, at the Option of the Parties prosecuting such Information against the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying Gas, before any Two Justices of the Peace, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties when so levied shall be paid to the Treasurer or other Officer for the Time being of such Water Company, for the Use of such Water Company.

For ascertaining if the Water be contaminated.

XLI. And be it further enacted, That in any Case in which it shall be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, it shall be lawful for the Company of Proprietors or other the Owners or Proprietors of any Waterworks to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and of the Repair of the Pavement of the Roads, Street or Streets, which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Politic or Corporate, or Person or Persons, as aforesaid, which Costs and Expences of Digging, Search, and Examination shall be ascertained and determined, if necessary, by such Justices as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, then and in such Case the said Company of Proprietors or other the Owners or Proprietors of such Waterworks shall bear and pay all the Costs and Expences of

such Search, Examination, and Repair as aforesaid, and shall also make good to the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Body or Bodies Politic or Corporate, or other Person or Persons, as aforesaid, in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined by such Justices of the Peace as aforesaid.

Persons supplying Gas liable to be indicted for a Nuisance.

XLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of any Parish adopting the Provisions of this Act, in respect of any Works or other Means which shall be employed by them or any of them in making the said Gas and using the same in furnishing with Lights as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Body or Bodies Politic or Corporate, Company of Proprietors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for wilfully destroying or injuring Lamps.

XLIII. And be it further enacted, That if any Person shall wilfully break, throw down, spoil, or damage any Watch-house or Watch-box, or Lamp, Lamp Iron, Lamp Post, Pale, Rail, Chain, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, it shall be lawful for any Person or Persons who shall see the Offence committed to apprehend, and also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any Warrant, and to deliver him or them to any Constable, who is to keep him, her, or them in safe Custody, and with all reasonable Dispatch to convey him, her, or them before any Justice of the Peace; and such Justice shall examine upon Oath any Witness or Witnesses who shall appear to be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of any such Offence, either by his, her, or their Confession, or upon such Evidence as aforesaid, he, she, or they shall forfeit any Sum not exceeding Forty Shillings for every Lamp, Lamp Iron, or Lamp Post so broken, thrown down, or damaged, and shall also make full Satisfaction for the Damage which shall have been done thereby, and not exceeding Five Pounds for any other such Offence as aforesaid, and shall also make full Satisfaction for the Damage which shall have been done thereby; and one Moiety of such Forfeiture shall be paid to the Person or Persons apprehending such Offender, and

the other Moiety shall be applied for the Purposes of this Act; and in case any such Offender shall not on Conviction pay the said Forfeiture and Satisfaction, such Justice is hereby required to commit him, her, or them to the House of Correction, there to be kept to hard Labour, if such Justice shall so order, for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid.

How Persons accidentally breaking Lamps are to be dealt with,

XLIV. And be it further enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Irons, or Lamp Posts, or do any other such Damage or Injury as herein-before is mentioned, and shall not, upon Demand, make Satisfaction to the said Inspectors for the Damage or Injury so done, it shall and may be lawful for any Justice of the Peace, upon any Complaint thereof made to him upon Oath, to summon the Party complained of, and upon hearing the Parties upon both Sides, or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and award such Sum of Money, by way of Satisfaction to the said Inspectors for such Damage, as such Justice shall think reasonable; and in case of Neglect or Refusal forthwith to pay such Money, then the same and all Expences attending the Recovery thereof may be levied and recovered as any Penalty or Forfeiture is by this Act directed to be levied and recovered in other Cases.

Power for Inspectors to contract for the Works directed to be done by this Act.

XLV. And be it further enacted, That it shall and may be lawful to and for the said Inspectors from Time to Time to enter into any Contract or Contracts with any Person, Company or Companies whatsoever, for lighting the same Streets, Roads, and other Places, or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material, or in any other Manner whatsoever, or for furnishing Lamps, Lamp Irons, Lamp Posts, Watchboxes, Posts, Chains, Pales, Rails, and other Things necessary for the Purposes aforesaid, or any Materials for the same; which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the Works shall be completed, and the Penalties to be suffered in Cases of Nonperformance thereof, and shall be signed by Two or more of the said Inspectors, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts, or a Copy or Copies thereof, shall be entered in a Book to be kept for that Purpose; but no Contract above the Value or Sum of Twenty Pounds shall be entered into unless previous to the making of any such Contract Fourteen Days Notice shall be given in One or more of the public Newspapers published in the County in which the said Parish shall be situate, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Inspectors at a certain Time and Place in such Notice to be mentioned: Provided always, that if the said Inspectors shall be of opinion that it will not be advantageous to contract with the Person or Persons offering the lowest Price, it shall be lawful

lawful for the said Inspectors to contract with such other Person or Persons as they shall think proper.

Inspectors may sue for Breach of Contract;

XLVI. And be it further enacted, That in case the same shall not be well and sufficiently performed according to the Terms, Intent, and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times specified in such Contract or Contracts, then the said Inspectors may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor for any Penalty contained in his Contract; and on Proof of his signing the said Contract or Contracts, or Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the said Inspectors shall be entitled to and recover the full Penalty contained in any such Contract, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Inspectors (if they think fit) to compound and agree with any Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Inspectors shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby; and it shall be lawful for the said Inspectors to cancel or make void any Contract with any Person or Persons whomsoever by mutual Consent, if they shall think proper.

or may compound with Contractor.

Inspectors may purchase or rent Ground or Buildings for the Purposes of this Act.

XLVII. And be it further enacted, That the said Inspectors may and they are hereby authorized and empowered to treat with the Owner or Owners and Occupier or Occupiers of any Houses, Buildings, Lands, and Grounds, for the Purpose of erecting a Watch-house thereon, for such Sum or Sums of Money or yearly Rent, or for such Time, as to them shall appear reasonable, (which Sum or Sums of Money and yearly Rent shall be respectively paid out of the Monies to arise by virtue of this Act,) in such Place or Places as they may think proper.

Property of Lamps, &c. vested in the Inspectors.

XLVIII. And be it further enacted, That the Property of and in all the Lamps, Lamp Irons, Lamp Posts, Watch-houses, Watch-boxes, Posts, Chains, Pales, and Rails in, about, or belonging to the said Streets and Places within the Limits of this Act, or any of them, and of and in all the Iron, Timber, Stone, Bricks, and other Materials and Furniture and Things of, in, and belonging thereto, (except when the same shall be otherwise regulated by Contract with the said Inspectors,) shall be and the same are hereby vested in the said Inspectors, and may be sold and disposed of from Time to Time as they shall think proper, and the Money arising from such Sale or Sales shall be applied towards the Purposes of this Act; and the said Inspectors are hereby authorized and empowered to bring or cause to be brought any Action or Actions, in such Name or Names and in manner as herein-before is provided, or to prefer, or order and direct the preferring, of any Bill or Bills of Indictment,

ment, against any Person or Persons who shall steal, take, or carry away, (as the Case may be) all or any Part of such Lamp Irons, Lamp Posts, Watch-houses, Watchboxes, Iron, Timber, and Stone, Bricks, Furniture, Posts, Chains, Pales, Rails, or other Materials and Things as aforesaid; and in all such Actions or Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally, that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought or such Bill or Bills of Indictment preferred, is or are the Property of the Inspectors, without particularly stating or specifying the Name or Names of all or any of the said Inspectors.

Inspectors of adjoining Parishes may unite.

XLIX. And be it further enacted, That it shall be lawful for the Inspectors appointed by any Parish adopting the Provisions of this Act to unite with the Inspectors of any adjoining Parish or Parishes for the better carrying into effect the Purposes of this Act.

Forms of Information and Conviction.

L. And for the more easy Prosecution and Conviction of Offenders against this Act, be it further enacted, That all and every Justices and Justice of the Peace before whom any Person or Persons shall be convicted or prosecuted for any Offence against this Act shall and may cause the Information and Conviction respectively to be drawn in the Form following, or in other Words to the same Effect; (that is to say,)

Form of Information.

'County of } BE it remembered, That on the Day of
'to wit. } *A. B.* of informeth me [*or* us]
'of His Majesty's Justices of the Peace for the said
'of that of
'in the of [*here describe the
'*Offence, with the Time and Place, and follow the Act as near as may
'*be*], contrary to the Provisions of an Act made in the
'Year of the Reign of King *George* the Fourth, intituled [*insert the
'*Title of this Act*], which hath imposed a Forfeiture of for
'the said Offence. Taken the Day of before
'me .'

Form of Conviction.

'County of } BE it remembered, That on the Day of
'to wit. } in the Year of the Reign of
'and in the Year of our Lord
'*A. B.* is convicted before us of His Majesty's Justices
'of the Peace for the said for [*here specify the Offence,
'*and when and where committed*], contrary to the Form of the Statute
'made in the Year of the Reign of King *George*
'the Fourth, intituled [*here set forth the Title of this Act*]; and we
'do hereby declare and adjudge that the said hath for-
'feited for the said Offence the Sum of [*or* shall be
'committed to for the Space of *as the Case
'*may be*]. Given under our Hands and Seals the Day and Year first
'above written.'

Recovery and Application of Penalties.

LI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule or

Order made in pursuance hereof, (the Manner of levying and recovering whereof is not herein-before particularly directed,) may in case of Nonpayment thereof be recovered in a summary Way by Order and Adjudication of any Two Justices of the Peace, on Complaint to them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices, who are hereby authorized and required to summon and examine any Witness upon Oath or Affirmation of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same (if any such there be), shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Inspectors or their Treasurer, to be applied for such Purposes of this Act as the said Inspectors shall order and direct, except in all such Cases where the Penalty or Forfeiture shall be incurred by the said Inspectors, and then the same shall be paid to the Informer; and it shall be lawful for the said Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justices, for his, her, or their Appearance before the said Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if, upon the Return of such Warrant or Warrants, it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justices, and they are hereby required and empowered, by Warrant or Warrants under their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction in the said County or Place in which the said Parish shall be situate, there to be kept, with or without hard Labour, without Bail or Mainprize, for any Time not exceeding Six Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or shall otherwise be discharged by due Course of Law.

LII. Pro-

Inspectors exempted from personal Liability.

LII. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to extend to render the said Inspectors personally, or any of their Goods and Chattels (other than such as may be invested in them in pursuance of this Act), liable to the Payment of any Sum or Sums of Money as or by way of Compensation or Satisfaction in the Cases in which such Compensation or Satisfaction is herein-before directed to be made by the said Inspectors.

Inhabitants may be Witnesses.

LIII. And be it further enacted, That no Inhabitant of any Parish adopting the Provisions of this Act shall be deemed an incompetent Witness in any Action, Suit, or Information, Complaint, Appeal, Prosecution, or Proceedings, to be had, made, prosecuted, or carried on under the Authority of this Act.

Appeal to the Quarter Sessions.

LIV. Provided also, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any Order, Direction, or Appointment of the said Inspectors, or any Order or Conviction of One or more Justice or Justices of the Peace, it shall be lawful for such Person or Persons to appeal to any General or Quarterly Sessions of the Peace to be held in and for the County, City, Riding, Borough, Town, Shire, Division, Liberty, or Place in which the Parish shall be situate, within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month, then such Appeal shall be made to the secondly succeeding Sessions, either of which Court of Sessions is hereby empowered to hear and finally determine the Matter of the said Appeal, and to make such Order therein as to them shall seem meet, which Order shall be final and conclusive to and upon all Parties; provided that the Person or Persons so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his, her, or their Intention of appealing as aforesaid, and of the Matter or Cause thereof, to the said Inspectors or other the Respondent or Respondents, and within Five Days after such Notice shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the then next General Sessions or Quarter Sessions of the Peace, which shall first happen, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, or any Adjournment thereof; and such Justices, upon hearing and finally determining such Matter of Appeal, shall and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in or concerning the Premises shall be conclusive and binding on all Parties to all Intents and Purposes whatsoever.

Plaintiff not to recover in any Action after Tender of sufficient Amends.

LV. Provided also, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action or Actions for any Irregularity, Trespass, or other Proceedings made or committed in execution of this Act, if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall have committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought;

brought; and in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Order, and Adjudication shall be made, had, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of or under the Authority of or colour of this Act until Twenty-one Days Notice has been given thereof in Writing to the said Inspectors, nor after sufficient Satisfaction or Tender thereof has been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in such Actions or Suits may plead the General Issue, or give this Act and every special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof was given as aforesaid, or if any Action or Suit shall not be commenced within the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find a Verdict for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for any such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuit or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Case by Law.

Proceedings not to be unlawful for Want of Form.

LVII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Limiting the Powers of the Act.

LVIII. And be it further enacted, That nothing in this Act contained shall be construed to extend to abridge, repeal, alter, amend, or interfere with the Powers and Provisions contained in a certain Act made and passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act for improving the Police in and near the Metropolis*, or to extend to any Parishes or Places situate within the City of *London* or within the Bills of Mortality, or to any Parish or

Place already wholly or in part regulated by or under the Provisions of any Act of Parliament for any of the Purposes herein-before provided for, or to interfere with the Powers which any Corporate Body may have with respect to watching and lighting.

Surveyor of Commissioners of Sewers may enter into Gas Works, to see if there be any Escape of Gas, &c.

LIX. And be it further enacted, That it shall be lawful for any Surveyor or other Person or Persons acting by or under the Authority of Commissioners of Sewers, at any Time or Times in the Day-time, to enter into any Manufactory, Gasometer, Receiver, or other Building belonging to any Gas Company or Companies, or the said Inspectors, in order to inspect and examine if there be any Escape of Gas, or any Washings or other waste Liquids, Substances, or other Things whatsoever which shall arise or be produced in the Prosecution of the said Gas Works or in the Manufacture or Process of making or procuring such Gas, into any public Sewer or Drain; and if such Surveyor or other Person or Persons acting by or under the Authority of Commissioners of Sewers shall at any such Time or Times be refused Admittance or Entrance into any such Manufactory, Gasometer, Receiver, or other Building, for the Purpose of making such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination as aforesaid, the said Gas Company or Companies or the said Inspectors so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds.

Not to prejudice the Rights of the Commissioners of Sewers;

LX. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in Commissioners of Sewers; but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

nor to affect the Universities.

LXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or any of the Powers vested by Charter or otherwise in the Chancellors, Masters, and Scholars, and their Successors, of the said Universities.

Construction of Act.

LXII. And be it further enacted, That the Powers given to watch and light any Parish shall be understood to be given to any Wapentake, Division, City, Borough, Liberty, Township, Market Town, Franchise, Hamlet, Tithing, Precinct, and Chapelry; and that the Powers given to a Churchwarden shall be understood to be given to any Chapelwarden, Overseer, or other Person usually calling any Meeting on Parochial Business; and that the Words "Justice of the Peace" shall be understood to mean Justices of the Peace for the County, City, Borough, Town, Division, Riding, Shire, Liberty, or Place in which the Parish which may adopt the Provisions of this Act shall be situate; and the Words "rated Inhabitant" to include all Persons assessed to and paying Rates for the Relief of the Poor.

Public Act.

LXIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXVIII.

An Act to apply a certain Sum of Money out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty.

[23d *June* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, the Sum of Four Millions out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

There shall be applied for the Service of 1830, 4,000,000*l.* out of the Consolidated Fund.

The Treasury may cause 4,000,000*l.* of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions, and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His late Majesty, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bills to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed as so much Cash in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*; each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash, any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash, according to the Course of the Receipt of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in Part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Bills made chargeable upon the

VII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made

forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

growing Produce of the Consolidated Fund.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money, not exceeding in the whole the Sum of Four Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary thereof notwithstanding.

Bank of England may advance 4,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXIX.

An Act to suspend, until the End of the next Session of Parliament, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom. [23d *June* 1830.]

WHEREAS it is expedient to suspend, for a further Period, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to the procuring any Returns or preparing or making out Lists for such Militia, or any Parts thereof, or relating to the ballotting for or enrolling any Militia Men or Substitutes, or supplying any Vacancies in such Militia, shall cease and remain suspended until the End of the next Session of Parliament; any thing in any Act or Acts to the contrary notwithstanding. General and Subdivision Meetings relating to the Militia, suspended.

II. Provided always, and be it enacted, That it shall be lawful for His Majesty, by any Order in Council, to direct that any Proceedings shall be had, at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and Proceedings may be had during such Suspension by Order in Council.

and enrol Men for the filling up Vacancies in the Militia of the United Kingdom, or any Part thereof, as His Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *England*, *Scotland*, and *Ireland* respectively, relating to the giving Notices for and Returns of Lists, and for the ballotting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Time respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to the Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Ridings, Cities, and Places in *Great Britain*, or to the Governors and Deputy Governors of Counties and Places in *Ireland*, or to the Warden and Special Deputy Wardens of the Stannaries; and all the Provisions of the several Acts in force in *England*, *Scotland*, and *Ireland* respectively, relating to the Militia and Corps of Miners of *Cornwall* and *Devon*, shall, upon any such Order and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia and Miners.

Act to extend to the Stannaries.

III. And be it enacted, That this Act, and all the Clauses, Provisions, Directions, and Authorities therein contained, shall be construed to extend to the Warden and Special Deputy Wardens of the Stannaries and Corps of Miners of *Cornwall* and *Devon*, as fully as if they were respectively and severally repeated in every such Clause, Provision, Direction, and Authority.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

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CAP. XXX.

An Act for taking an Account of the Population of *Great Britain*, and of the Increase or Diminution thereof. [23d *June* 1830.]

WHEREAS it is expedient to take an Account of the total Number of Persons now within the Kingdom of *Great Britain*, together with the progressive Increase or Diminution thereof, from the Year One thousand eight hundred and twenty to and for the Year One thousand eight hundred and thirty: May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within that Part of *Great Britain* called *England*, the respective Overseers of the Poor, or some substantial Householder of every Parish, Township, or Place to be appointed as herein-after mentioned, and within that Part of *Great Britain* called *Scotland* such Persons as shall be for that Purpose appointed in the Manner herein-after mentioned to act in and for every Parish and Place, shall, at the Time and in the Manner herein-after directed, severally take an Account of the Number of Persons who shall be actually

The Overseers of the Poor or some substantial Householder of every Parish and Place in England, and such Persons as shall be appointed in Scotland, shall take an Account of the Number of Persons found within each Parish and Place, and set down the Par-

ticulars according to the Form in the annexed Schedule.

actually found at the Time of taking such Accounts to be within the Limits of such Parishes, Townships, and Places respectively, and shall set down the several Particulars respecting the same, according to the Form prescribed in the Schedule annexed to this Act.

Printed Copies of the Act and Schedules shall be transmitted by the King's Printer to the Clerks of the Peace and Town Clerks in England; the Acts to be distributed by them to the Clerks of the Divisional Meetings, and the Schedules to the different Persons appointed for England; and printed Copies of the Act shall also be transmitted to the Sheriffs, &c. in Scotland, and Schedules for Distribution.

II. And for the more speedy and effectual obtaining of such Accounts, be it further enacted, That a sufficient Number of printed Copies of this Act, and of the Schedules thereto annexed, (together with such Explanations as may be deemed necessary,) shall, so soon as conveniently may be after the passing of this Act, be transmitted by His Majesty's Printer to the Clerks of the Peace and Town Clerks of the several and respective Counties, Ridings, Divisions, Precincts, Sokes, Franchises, Liberties, Cities, Boroughs, Towns, and Counties Corporate in that Part of *Great Britain* called *England;* and that the said several Clerks of the Peace and Town Clerks shall and they are hereby required with all convenient speed to cause the said Act to be distributed amongst the Clerks of the Divisional Meetings within their respective Limits, and also to cause a sufficient Number of the Schedules to this Act annexed to be delivered to the High Constables, (or where there are no High Constables, to such other proper Officers who have the Execution of Precepts from Justices of the Peace to inferior Officers within their respective Limits,) at the *Easter* Quarter Sessions of the Peace in the Year One thousand eight hundred and thirty-one; and within that Part of *Great Britain* called *Scotland*, a sufficient Number of printed Copies of this Act, and of the Schedule thereto, shall in like Manner be transmitted to the Sheriff Deputes of Counties, and Provosts of the Royal Burghs of *Edinburgh* and *Glasgow*, who shall cause a sufficient Number of the said Schedule to be delivered to such Persons and at such Times as are for that Purpose herein-after mentioned.

In England the High Constables shall, at the Easter Sessions 1831, receive from the Clerks of the Peace, &c. the Schedules, and forthwith deliver one to the officiating Minister, &c., and one other to an Overseer or substantial Householder of each Parish or Place, who shall, with the Assistance of the Churchwardens, &c., upon May 30, 1831, take an Account of the Number of Persons therein, and inform themselves, by going from House to House, of certain Particulars, and prepare Answers to Questions according to the Form in the Schedule.

III. And be it further enacted, That within that Part of *Great Britain* called *England* the High Constables, (or other proper Officers so described as aforesaid,) within their respective Jurisdictions aforesaid, shall at the said *Easter* Quarter Sessions of the Peace in the Year One thousand eight hundred and thirty-one, pursuant to the Directions aforesaid, receive from the Clerks of the Peace or Town Clerks the said printed Schedules, and forthwith deliver or cause to be delivered One such Schedule to the Rector, Vicar, Curate, or other officiating Minister, and One other such Schedule to One of the Overseers of the Poor of every Parish, Township, or Place, as well within Towns Corporate as without, in their respective Limits, and also One such Schedule to the Overseer or Overseers of every Extra-parochial Place within the said Limits, or instead thereof to some One substantial Householder residing within the said Parish, Township, or Extra-parochial Place, and well acquainted therewith, if he shall be directed so to do by any Justice of the Peace within the District; and thereupon the said Overseers (or such fit Person as they shall appoint by and with the consent of

Two of His Majesty's Justices of the Peace), or substantial Householders as aforesaid, taking to their Assistance the Churchwardens or Chapelwardens, (or any Person or Persons appointed by any Justice of the Peace at the Request of such Churchwardens or Chapelwardens), Sidesmen, Parish Clerk, and Vestry Clerk (if any), and employing, if they shall think fit, the Constables, Tythingmen, Headboroughs, or other Peace Officers for such Parishes, Townships, or Places, or any fit Person or Persons thereunto appointed by any Two of His Majesty's Justices of the Peace, upon Application to that effect by the Overseers or substantial Householders charged with the Execution of the Provisions of this Act, (such several Persons, except the aforesaid Churchwardens or Chapelwardens, being hereby required to be aiding and assisting therein for that Purpose,) shall, upon *Monday* the Thirtieth Day of *May* in the Year One thousand eight hundred and thirty-one, proceed to take an Account in Writing of the Number of Persons at that Time being within the Limits of such Parishes, Townships, and Places respectively, and inform themselves of the several Particulars relating to the Matters specified in the Thirteen first Questions in the said Schedule, by proceeding together or separately from House to House, or otherwise, as they shall judge expedient for the better Execution of this Act, and from such Information shall prepare an Answer or Return to the said Questions according to the Form prescribed in the said Schedule, and shall sign the same with their Names and respective Additions as such Overseers or substantial Householders as aforesaid; and the better to enable the said Overseers or substantial Householders as aforesaid to make such Answers and Returns, they and the Persons so assisting them as aforesaid are hereby authorized and empowered to ask all such Questions of the Persons within the said Parish, Township, or Place, respecting themselves and the Number and Quality of the Persons constituting their respective Families, as shall be necessary for stating the Particulars required to be stated concerning them in the said Answers and Returns; and every such Person refusing to answer, or wilfully giving a false Answer to such Questions, or any of them, shall for every such Refusal or false Answer forfeit a Sum not exceeding Five Pounds nor less than Forty Shillings, at the Discretion of the Justice or Justices before whom Complaint thereof shall be made.

Penalty for refusing to answer, or wilfully giving false Answers.

IV. And be it further enacted, That every Rector, Vicar, Curate, or other officiating Minister of every Parish, Township, or Place (Extra-parochial or otherwise) in *England*, including Free Chapels, Donatives, and Peculiars, to whom such Schedule shall have been delivered as aforesaid, and having Custody of any Register which is not copied into the Register of a Mother Church, shall forthwith prepare an Answer or Return to the Questions relative to Baptisms, Burials, and Marriages, in the said Schedule set forth, and shall, on or before the Twentieth Day of *June* One thousand eight hundred and thirty-one, duly transmit such Answer or Return to the Bishop within the Limits of whose Diocese the said Parish, Township, or Place is situate; and the several Bishops shall, on or before the Eleventh Day

Officiating Ministers in England shall transmit an Answer to the Questions in the Schedule relative to Baptisms, Burials, and Marriages, before the 20th June 1831, to the Bishop of the Diocese, who shall transmit the same, before 11th July 1831, to his Archbishop, to be laid before the Privy Council by the 1st August, who shall cause an Abstract thereof to be laid before Parliament.

Day of *July* One thousand eight hundred and thirty-one, transmit the same to the Archbishops of their respective Provinces, and thereupon the said Archbishops shall, on or before the First Day of *August* One thousand eight hundred and thirty-one, cause the same to be laid before His Majesty's most Honourable Privy Council, who shall cause an Abstract thereof to be prepared and laid before both Houses of Parliament within Ten Months after the said First Day of *August*, or if Parliament shall not be then sitting, within the first Fourteen Days of the Session next ensuing.

Justices in England shall appoint a Time and Place (between the 25th of June and 21st of July 1831) for the Overseers or Householders to attend with Returns and Answers to the Questions stated in the Schedule, and cause Notice of such Time and Place to be given to them and the High Constables; and the Overseers, &c. shall then deliver Returns upon Oath.

V. And be it further enacted, That the Justices of the Peace, or any Two or more of them, within their respective Jurisdictions in *England*, shall, at or so soon as conveniently may be after the said *Easter* Quarter Sessions in the Year One thousand eight hundred and thirty-one, appoint a Time and Place or Times and Places (which Time shall be not sooner than the Twenty-fifth Day of *June* nor later than the Twenty-first Day of *July* in the Year One thousand eight hundred and thirty-one, and may be at the *Midsummer* Quarter Sessions, if they shall think fit,) for the Overseers of the Poor of the several Parishes, Townships, and Places within their respective Divisions or Limits, or for such substantial Householders as aforesaid (as the case may be), to attend them, for the purpose of this Act, with Returns and Answers to the Questions stated in the Schedule to this Act annexed, and cause Notice of such Time and Place to be given to such Overseers and Householders respectively according to the Form in the Schedule to this Act, and also to the High Constables, or, where there are no High Constables, to such other proper Officers as aforesaid; and thereupon the said Overseers or substantial Householders as aforesaid, or some one of them, in and for every such Parish, Township, or Place, shall and they are hereby required to attend the Justices of the Peace at such Meeting or Meetings respectively, and then and there deliver to the said Justices in Writing, signed by himself or themselves, a just and true Answer and Return to the said Questions upon Oath, (or, being of the People called *Quakers*, on Affirmation,) as herein-after directed; and the said High Constables, or other proper Officers so described as aforesaid, shall and they are hereby required to attend the said respective Meetings for the Purposes herein-after directed.

Justices in England shall receive the Answers and Returns, and administer the Oath in the Schedule, with Power to examine the Overseers and Householders upon Oath, and adjourn their Meetings not later than the 21st July 1831, and shall deliver the Answers and Returns to the High Constables, who shall indorse the Returns, and transmit them to the

VI. And be it further enacted, That the said Justices of the Peace shall and they are hereby required to receive and take, at such Meetings so to be appointed by them as aforesaid, the Answers and Returns to be made pursuant to the Directions aforesaid, and then and there to administer to the said Overseers or substantial Householders respectively the Oath or Affirmation contained in the said Schedule; and if they see cause, to examine such Overseers and Householders upon Oath or Affirmation touching any of the Matters contained in such Questions and Answers, and, if necessary, to adjourn the said Meetings at any Time or Times not later than the said Twenty-first Day of *July*, and to any Place or Places, in order that the said Returns

may be rendered more complete or satisfactory, and shall then deliver such Answers and Returns to the respective High Constables or other proper Officers as aforesaid, who shall thereupon indorse on each of such Returns the Name of the County, and also of the Riding, Division, Rape, Wapentake, Lathe, Precinct, Soke, Franchise, Liberty, City, Borough, Town, or County Corporate, wherein the Parish, Township, or Place therein mentioned is situate, and shall deliver or transmit such Returns, together with a true and perfect List of every Parish, Township, and Place, and also of the Overseers and Householders aforesaid to whom such Schedule shall have been delivered as aforesaid, to the several Clerks of the Peace and Town Clerks (for the Jurisdiction in which the said Justices are authorized to act), at their respective Offices, on or before the Twenty-eighth Day of *July* One thousand eight hundred and thirty-one.

Clerks of the Peace and Town Clerks, by 28th July 1831.

VII. And be it further enacted, That within that Part of *Great Britain* called *Scotland*, the Sheriff Deputes or their Substitutes in their respective Counties, and the Provosts of the Royal Burghs of *Edinburgh* and *Glasgow* within the said Burghs, shall nominate and appoint, in Writing under the Hand of their respective Clerks, the Schoolmaster, or other fit Person or Persons in each Parish or Part of a Parish or Place within their respective Jurisdictions, to take account of the several Matters required by this Act; and the Sheriffs Officers and Town Officers respectively are required forthwith to deliver the said Schedule to the Schoolmaster, Person, or Persons so appointed; and on the said Thirtieth Day of *May* in the Year One thousand eight hundred and thirty-one, the Schoolmaster, Person, or Persons so appointed, shall proceed to take account of the Number of Persons at that Time within the Limits of their respective Parishes and Places, or Parts of Parishes distinctly, in case the Parish shall not be wholly contained in one and the same County, and inform themselves of the several Particulars relating to all the Matters specified in the said Schedule, by proceeding from House to House, or otherwise, as they shall judge expedient for the better Execution of this Act, and from such Information as aforesaid shall prepare an Answer or Return to all the said Questions according to the Form prescribed in the said Schedule, and shall then exhibit the same to the Minister of the Parish for his Correction and Approbation, and for any Observations which he may think fit to write thereupon; and the several Schoolmasters and other Persons appointed shall thereafter sign the same with their Names and ordinary Designations; and the better to enable them to make such Answers or Returns as aforesaid, they are hereby authorized and empowered to ask all such Questions of the Persons within their respective Parishes, respecting themselves and the Number and Quality of the Persons constituting their respective Families, as shall be necessary for stating the Particulars required to be stated concerning them in the said Answers and Returns; and every such Person refusing to answer, or wilfully giving a false Answer to such Questions, or any of them, shall for every such Refusal or false Answer forfeit a Sum not exceeding

The Sheriff Deputes, &c. in Scotland shall appoint Schoolmasters or other fit Persons to take account of the Matters required by this Act; and the Sheriffs Officers, &c. shall deliver the Schedules to the Persons so appointed, who shall take an Account of the Number of Persons, and inform themselves of certain Particulars, by proceeding from House to House, and prepare Answers to Questions, according to the Form in the Schedule.

Penalty for refusing to answer, or wilfully giving false Answers.

Five Pounds, nor less than Forty Shillings, at the Discretion of any competent Magistrate before whom the Complaint thereof shall be made.

The Sheriff Deputes, &c. in Scotland shall appoint a Time (not sooner than the first nor later than the last Day of June 1831) for the Schoolmasters or other fit Persons to attend with Returns and Answers to the Questions in the Schedule, which the Sheriff, &c. shall receive upon Oath, with Power to examine the Persons upon Oath, and shall cause the Return to be indorsed; or he may direct the Returns and Answers to be verified upon Oath before any Justice of the Peace.

VIII. And be it further enacted, That the Sheriff Deputes or their Substitutes, for *Scotland*, and the Provosts of the Royal Burgh of *Edinburgh* and *Glasgow*, within their respective Jurisdictions, shall appoint a Time or Times, which shall not be sooner than the first Day of *June* nor later than the last Day of *June* in the Year One thousand eight hundred and thirty-one, for the Schoolmaster, Person, or Persons appointed by them as aforesaid, to attend at their Offices, or at such other Places as they shall appoint, with the Returns and Answers to all the Questions stated in the Schedule to this Act; and the said Sheriff Deputes or their Substitutes, and Provosts, shall cause Notice to be given to them respectively for that Purpose accordingly; and shall then and there receive the Answers and Returns to be made as aforesaid, and administer the Oath contained in the said Schedule to the Schoolmaster, Person, or Persons appointed to make such Returns as aforesaid; and such Sheriff Deputes or their Substitutes, and Provosts aforesaid, if they see Cause, may examine the said Schoolmaster, Person, or Persons, upon Oath, touching any of the Matters contained in such Questions and Answers, and shall thereafter direct their respective Clerks to indorse the same with the Name of the County and District thereof wherein the Parish or Place therein mentioned is situated, or otherwise, (in cases where the said Sheriff Deputes or their Substitutes shall think proper,) they shall direct the Schoolmasters and other Persons aforesaid to verify the said Returns and Answers upon Oath before any Justice of the Peace within the County, and thereafter to transmit the Schedule, previous to the said last Day of *June*, in any convenient manner, to the said Sheriff Deputes or their Substitutes, who shall direct the same to be indorsed as aforesaid.

The Accounts taken throughout Great Britain for preparing the Answers and Returns shall be preserved by the Churchwardens, &c. in England, and other Persons in Scotland, and delivered over to their Successors; and the Clerks of the Peace, &c. in England, and the Sheriff Deputes, &c. in Scotland, shall transmit the Returns to the Secretary of State by 1st August 1831, an Abstract of which shall be laid before Parliament within Ten Months.

IX. And be it further enacted, That the several original Accounts so taken in Writing by the Overseers and Schoolmasters or other Persons so appointed as aforesaid, in every Parish, Township, or Place within *Great Britain*, for the Purpose of preparing the aforesaid Answers and Returns, shall be safely kept and preserved by the Churchwardens or Chapelwardens in *England*, and by the Schoolmasters in *Scotland*, of the several Parishes, Townships, or Places to which the same relate, except the printed List in answer to the Ninth Question, and shall be delivered over by them to their Successors in Office respectively; and that the said Clerks of the Peace and Town Clerks throughout that Part of *Great Britain* called *England*, and the Sheriff Deputes or their Substitutes, and Provosts, in *Scotland*, shall, on or before the First Day of *August* One thousand eight hundred and thirty-one, transmit with all convenient speed such Answers and Returns as they shall have received in manner aforesaid, (together with a List of the Parishes, Townships, and Places within their respective Counties, Ridings, or Divisions from whence no Returns have been made to them,) to the Office of

His Majesty's Principal Secretary of State for the Home Department; and that the same shall be digested and reduced into Order by such Officer as such Secretary of State shall appoint for that Purpose, and that an Abstract thereof shall be laid before both Houses of Parliament within Ten Months after the said First Day of *August*, or, if Parliament shall not be then sitting, within the first Fourteen Days of the Session next ensuing.

Persons employed to have an Allowance for their Trouble and Expences.

X. And be it further enacted, That there shall be paid and allowed for the Trouble and Expences of the several Persons employed in the Transactions aforesaid, for every Return which shall be so made and transmitted to the Clerks of the Peace and Town Clerks respectively, pursuant to the Directions aforesaid, the Sums following; (*videlicet*), To the Clerk of the Peace or Town Clerk, for the Return which shall be made from every such Parish, Township, or Place in *England*, the Sum of One Shilling; to the High Constable or other proper Officer in *England*, for the like, the Sum of One Shilling and Sixpence; to the Clerks of the Justices of the Peace throughout *England*, for the like, the Sum of One Shilling; and that the Justices of the Peace in *England*, at their respective *Midsummer* Quarter Sessions, or at the *Michaelmas* Quarter Sessions following, in the Year One thousand eight hundred and thirty-one, shall and they are hereby required to make an Order upon their respective Treasurers to pay the same out of the Rates to be made and collected for the respective Counties, Ridings, Divisions, Precincts, Sokes, Franchises, Liberties, Cities, and Counties Corporate, or shall cause the same to be paid out of the Poor Rates of and for such Counties Corporate or Places as have no County Rates; and also, that the said Justices in *England*, at their said *Midsummer* Quarter Sessions, or at the said *Michaelmas* Quarter Sessions following, may and they are hereby required to allow to the several Overseers, Householders, Parish Clerks, Vestry Clerks, or other Persons in *England*, a reasonable Compensation for the Trouble necessarily taken, and also for the Expences (if any) by them necessarily incurred in the Execution of this Act; and the said Justices in Quarter Sessions may and they are hereby required to allow to the Parish Clerk, or any other Person who shall have assisted the Rector, Vicar, Curate, or other officiating Minister in the Execution of this Act, a reasonable Compensation for so doing, upon his producing a Certificate from the said officiating Minister to that Effect, and shall order Payment thereof to be made out of the Church Rates or Poors Rates of the several Parishes, Townships, or Places respectively, and shall thereafter allow the same in the annual Accounts of the several Churchwardens or Overseers of the Poor.

In England from the County Rates and Poors Rate;

In Scotland, from the Land Tax.

XI. And be it further enacted, That the Sheriff Deputes or their Substitutes, and Provosts of the Royal Burghs of *Edinburgh* and *Glasgow*, in *Scotland*, may and they are hereby required to allow to the Sheriff Clerk or Town Clerks respectively, for the Return which shall be made and transmitted from every Parish or Place in *Scotland*,

Scotland, the Sum of One Shilling; and to the Sheriffs Officer or Town Officer who shall distribute the Schedule to the Schoolmasters and others, for the like, the Sum of Two Shillings and Sixpence; and the said Sheriff Deputes or their Substitutes, and Provosts, may and they are hereby required to allow to the Schoolmasters and others a reasonable Compensation for the Trouble by them necessarily taken, and also for the Expences (if any) by them necessarily incurred in the Execution of this Act, and to order Payment thereof, and also of the Sums respectively payable to the Sheriffs Clerk or Town Clerk, and to the Sheriffs Officer or Town Officer, to be made by the Collector of the Land Tax of and for the Shire or other Place (as the Case shall require) out of any Money in his Hands, and such Collector shall and is hereby authorized to pay the same accordingly.

Penalty on Clerks of the Peace, Constables, Churchwardens, Overseers, Schoolmasters, &c. for wilful Default:

XII. And be it further enacted, That every such Clerk of the Peace, Town Clerk, High Constable, Constable, Tithingman, Headborough, or other such Officer as aforesaid, and also every such Churchwarden, Chapelwarden, Sidesman, Parish Clerk, Vestry Clerk, Overseer of the Poor, Householder, Schoolmaster, or other Person so appointed as aforesaid, making wilful Default in any of the Matters required of them respectively by this Act, shall for every such wilful Default forfeit a Sum not exceeding Five Pounds nor less than Forty Shillings, at the Discretion of the Justice or Justices or Magistrate before whom Complaint thereof shall be made; and in case any of the before-mentioned Officers and other Persons shall have so made Default, or shall have so omitted to attend with or respecting the Answers and Returns at the appointed Time, the said Justices in *England*, and Sheriff Deputes or their Substitutes, and Provosts, in *Scotland*, may and they are hereby required forthwith to nominate and appoint some other Person or Persons in their stead to execute the Provisions of this Act; and the Person or Persons so nominated and appointed, instead of the Officer or Person so making Default, or omitting to attend as aforesaid, shall be entitled to receive the Fees or Compensation herein-before mentioned, and shall also be liable to the same Penalty in case of making wilful Default.

and in case of such wilful Default, or of Omission to attend with the Returns, other Persons shall be appointed.

Recovery and Application of Penalties.

XIII. And be it further enacted, That the several Forfeitures and Penalties inflicted by this Act shall, if not immediately paid, be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace or Magistrate having Jurisdiction where such Offender shall dwell, rendering to the said Offender the Overplus (if any) after the Charge of such Distress and Sale shall be deducted; and in case sufficient Distress shall not be found, then it shall be lawful for such Justice to commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for a Term not exceeding Three Calendar Months, unless the said Forfeiture and Charges shall be sooner paid; and the said Forfeitures, when recovered in *England*, shall be paid, one Half to the Informer, and the other Half to the said respective

Treasurers, to be applied in aid of the Rates aforesaid; and any Person shall be deemed a competent Witness for the Execution of any of the Purposes of this Act, notwithstanding his paying or being liable to pay towards such Poors Rate or County Rate; and in case the said Forfeitures shall be recovered in *Scotland*, they shall be paid, one Half to the Informer, and the other Half to the Collector of the Land Tax of such County wherein the said Default shall be committed, to be by him applied in aid of the Expenditure incurred by reason of this Act.

SCHEDULE.

QUESTIONS to which, by Directions of an Act passed in the Eleventh Year of the Reign of His Majesty King George the Fourth, intituled "An Act for taking an Account of the Population of "Great Britain, and of the Increase or Diminution thereof," written Answers are to be returned by the Rector, Vicar, Curate, or Officiating Minister, and Overseers of the Poor, or by some other substantial Householder of every Parish, Township, and Place, (including those Places also which are Extra-parochial,) in England; and by the Schoolmasters, or other Persons to be appointed under the said Act, for every Parish and Place in Scotland; signed by them respectively, and attested upon Oath or Affirmation by the said Overseers, or by such other substantial Householders as aforesaid in England, and by the Schoolmasters or other such Persons as aforesaid in Scotland.

QUESTIONS addressed to the OVERSEERS in England, and to the SCHOOLMASTERS in Scotland:

Who are respectively required to take an Account of the resident Population, by proceeding from House to House on the Thirtieth Day of May One thousand eight hundred and thirty-one, and on the Days immediately subsequent thereto, if One Day shall not be sufficient; and they are also required to specify in Writing the Name of the Parish or Place in the Schedule, and whether it be usually called a Parish, Township, Tything, Quarter, or by what other Denomination.

1st. How many inhabited Houses are there in your Parish, Township, or Place; and by how many Families are they occupied?

2nd. How many Houses are now building, and therefore not yet inhabited?

3rd. How many other Houses are uninhabited?

4th. What Number of Families in your Parish, Township, or Place are chiefly employed in and maintained by Agriculture; or by Trade, Manufacture, or Handicraft; and how many Families are not comprised in either of the Two preceding Classes?

N.B. The total Number of Families in answer to this Question must correspond with the Number of Families in answer to the First Question; and if any Doubt shall arise as to the Class in which any Family or Families ought to be comprised, such Doubt is to be stated as a Remark (under Question Sixteenth), not omitting therein to specify in which Class such Family or Families may have been comprised in your Answer to the Fourth Question.

5th. How many Persons (including Children of whatever Age) are there actually found within the Limits of your Parish, Township, or Place, at the Time of taking this Account; distinguishing Males and Females, and exclusive of Men actually serving in His Majesty's Regular Forces, or in the Militia, and exclusive of Seamen, either in His Majesty's Service or belonging to registered Vessels?

6th. How many of the Males enumerated in answer to the 5th Question, are upwards of Twenty Years old?

N.B. If this Number of Males upwards of Twenty Years old should [differ materially *or otherwise as compared to the Return of* 1821] from One Half of the total Number of Males [in answer to Question 5th], some Error has probably been committed, and the Answer to this Question should be examined, and corrected, if necessary.

7th. How many Males upwards of Twenty Years old are employed in Agriculture, including Graziers, Cowkeepers, Shepherds, and other Farm Servants, Gardeners (not taxable as Male Servants), and Nurserymen?

In answering this Question, you will carefully distinguish these Males into Three Classes; vizt. First, Occupiers of Land who constantly employ and pay One or more than One Labourer or Farm Servant in Husbandry; Secondly, Occupiers of Land who employ no Labourer other than of their own Family; Thirdly, Labourers in Husbandry and Farm Servants employed by Occupiers of the First Class.

8th. How many Males upwards of Twenty Years old are employed in Manufacture or in making Manufacturing Machinery; *but not including Labourers, Porters, Messengers, &c., who are to be included in a subsequent Class?*

9th. How many Males upwards of Twenty Years old are employed in Retail Trade or in Handicraft, as Masters, Shopmen, Journeymen, Apprentices, or in any Capacity requiring Skill in the Business; *but not including Labourers, Porters, Messengers, &c., who are to be included in a subsequent Class?*

N.B. To enable you to answer this Question in a Manner satisfactory to yourself, a Sheet containing a List of the Denominations of several Trades is transmitted herewith, with blank Spaces for your Use in Entry of the Answers you obtain; it being understood that if any Trade or Business carried on in your Parish or Place does not appear in the printed List, you will specify such Trade at Bottom of the said List, making a Mark for each Male opposite to the Denomination of his proper Trade or Business, and adding all together for final Entry in the Schedule; to which Schedule you will annex the said printed List, with your original Entries thereon.

10th. How many Males upwards of Twenty Years old are Wholesale Merchants, Bankers, Capitalists, Professional Persons, Artists, Architects, Teachers, Clerks, Surveyors, and other Educated Men? And in answering this Question, you will include generally Persons maintaining themselves otherwise than by Manufacture, Trade, or bodily Labour.

11th. How many Males upwards of Twenty Years old are Miners, Fishermen, Boatmen, Excavators of Canals, Road-makers, Toll-Collectors, or Labourers employed by Persons of the Three preceding Classes, or otherwise employed in any Kind of bodily Labour, excepting in Agriculture? Labourers in Agriculture having been already entered in the proper Place.

12th. How many other Males upwards of Twenty Years old (not being taxable Servants under the next Question) have not been included in any of the foregoing Classes? Including, therefore, in answer to this Question, retired Tradesmen, superannuated Labourers, and Males diseased or disabled in Body or Mind.

13th. How many Household Servants, including all Female Servants, and such Male Servants (of whatever Age) as are taxable as such; also Waiters and Attendants at Inns; distinguishing the Males upwards of Twenty Years of Age, from the Males under Twenty Years of Age?

N.B. Observe that the Number of Males, in answer to Questions 7th, 8th, 9th, 10th, 11th, 12th, and 13th collectively, cannot be less than the Number of Males upwards of Twenty Years old, in answer to Question 6th; but will exceed that Number in consequence of including Male Servants under 20 Years of Age; and, as a general Rule, always assign an Individual of mixed Occupation or Income to that by which he is supposed to profit more than by any other.

14th. If you have entered any Males in answer to the 8th Question, be pleased to specify the Manufacture or Manufactures in which they are employed; and what Proportion of the Number of those entered in answer to Question 11th are employed in any Quarry, Mines, Coal Pits, Fishery, or public Work now in progress?

15th. Referring to the Number of Persons in One thousand eight hundred and twenty-one, to what Cause do you attribute any remarkable Difference in the Number at present?

16th. Are there any other Matters which you may think it necessary to remark in Explanation of your Answers to any of the preceding Questions?

QUESTIONS addressed to the OFFICIATING MINISTERS in England, having Custody of a Register which is not copied into the Register of a Mother Church, by whom a Return is to be made to the Bishop on or before the Twenty-first Day of June One thousand eight hundred and thirty-one.

1st. What was the Number of Baptisms and Burials in your Parish or Chapelry in the several Years 1821, 22, 23, 24, 25, 26, 27, 28, 29, and 30; distinguishing Males from Females?

2nd. What has been the Number of Marriages in your Parish or Chapelry in the several Years 1821, 22, 23, 24, 25, 26, 27, 28, 29, and 30?

3rd. Be pleased to specify, on the Schedule annexed for that Purpose, the Ages of Individuals registered in your Burial Register in the several Years from 1813 to 1830, both inclusive.

4th. What Number of illegitimate Children may have been born in your Parish or Chapelry during the Year 1830, according to the best Information you possess or can obtain; and distinguishing Male and Female Children?

5th. Are there any Matters which you think it necessary to remark, in explanation of your Answers to either of the preceding Questions? Especially, whether any and what annual average Number of Births, Deaths, and Marriages may, in your Opinion, have taken place in your Parish, without being noticed in the Parish Register?

FORM of ANSWER by the OVERSEERS, &c. in England, and SCHOOLMASTERS, &c. in Scotland, to the Questions contained in the Schedule to an Act, 11th George 4th, intituled "An Act for taking an Account of the Population of Great Britain, and of the Increase or Diminution thereof."

Name and Description of Parish, &c. and within what County, Hundred, Town Corporate, or other Division situate.	QUESTION 1st.		QUESTION 2d.	QUESTION 3d.	QUESTION 4th.			QUESTION 5th.		
					OCCUPATIONS.			Persons, including Children, of whatever Age.		
	Inhabited Houses.	By how many Families occupied.	Houses now building.	Other Houses uninhabited.	Families chiefly employed in Agriculture.	Families chiefly employed in Trade, Manufactures, and Handicraft.	All other Families not comprised in the Two preceding Classes.	Males.	Females.	Total of Persons.

N. B. — *Individuals are to be numbered only in those Parishes, Townships, or Places where they severally happen to be at the Time of taking the Account.*

QUESTION 6th.	QUESTION 7th.			QUESTION 8th.	QUESTION 9th.	QUESTION 10th.	QUESTION 11th.	QUESTION 12th.
	Males employed in Agriculture.							
Total Number of Males Twenty Years old.	Occupiers of Land employing Labourers.	Occupiers of Land not employing Labourers.	Labourers employed in Agriculture.	Males employed in Manufacture, or in making Manufacturing Machinery.	Males employed in Retail Trade, or in Handicraft, as Masters or Workmen.	Wholesale Merchants, Capitalists, Bankers, Professional Persons, and other Educated Men.	Labourers employed by the Three preceding Classes, and in other Labour not Agricultural.	All other Males Twenty Years old (except Servants), including retired Tradesmen, superannuated Labourers, and Males diseased or disabled in Body or Mind.

QUESTION 13th. — HOW many Servants, distinguishing Males upwards of Twenty Years old _____, Males under Twenty Years old _____, Females _____?

QUESTION 14th. — IF you have entered any Males in answer to the 8th Question, be pleased to specify the Manufacture or Manufactures in which they are employed? And what Proportion of the Number of those entered in answer to Question 11th, are employed in any Quarry, Mines, Coal Pits, Fishery, or Public Work now in progress?

QUESTION 15th. — REFERRING to the Number of Persons in 1821, to what Cause do you attribute any remarkable Difference in the Number at present?

QUESTION 16th. — ARE there any other Matters which you may think it necessary to remark, in explanation of your Answers to any of the preceding Questions?

ATTESTATION on Oath [*or* Affirmation] by the Overseers or substantial Householders in England, and by the Schoolmasters in Scotland.

I, *A. B.* One of the Overseers, Schoolmaster, [*or* a substantial Householder] of the Parish, Township, &c. of in the County of do swear [*or* affirm], That the above Return contains, to the best of my Knowledge and Belief, a full and true Answer to the Questions contained in the Schedule to an Act, intituled "An Act for taking an Account of the Population of Great Britain, and of the Increase or Diminution thereof."

The above-mentioned *A. B.* was sworn [*or* affirmed] (in England) before us, the Justices of the Peace in and for the of this Day of . *C. D.* and *E. F.*

(In Scotland) The above-mentioned *A. B.* was sworn before me, the Sheriff Depute or Substitute of the of this Day of . *G. H.*

The above Answers, collected and arranged by *A. B.*, are [*or* are not] (in my Opinion) correct. *I. K.* Minister of the Parish of .

FORM of ANSWERS, by the CLERGYMEN in ENGLAND, to the FIRST and SECOND QUESTIONS contained in the Schedule to an Act, 11th George 4th, intituled "An Act for taking an Account of the Population of Great Britain, and of the Increase or Diminution thereof."

Diocese of	and County, &c.	Deanery or Jurisdiction, &c.	City, Town, &c.	Parish or Chapelry, &c.

QUESTION 1st.							QUESTION 2nd.	
YEARS.	BAPTISMS.			BURIALS.			YEARS.	NUMBER of MARRIAGES.
	MALES.	FEMALES.	TOTAL.	MALES.	FEMALES.	TOTAL.		
1821 - -							1821 - -	
1822 - -							1822 - -	
1823 - -							1823 - -	
1824 - -							1824 - -	
1825 - -							1825 - -	
1826 - -							1826 - -	
1827 - -							1827 - -	
1828 - -							1828 - -	
1829 - -							1829 - -	
1830 - -							1830 - -	

ANSWER TO THIRD QUESTION.

PARISH of

REGISTERED BURIALS, 1813.

Column 1.			Column 2.			Column 3.			Column 4.		
Ages.	Males.	Females.	Ages.	Males.	Females.	Ages.	Males.	Females.	Ages.	Males.	Females.
Under One Year.			3			26			58		
						27			59		
						28			60		
			4			29			61		
						30			62		
						31			63		
			5			32			64		
						33			65		
						34			66		
						35			67		
						36			68		
						37			69		
			6			38			70		
			7			39			71		
			8			40			72		
			9			41			73		
			10			42			74		
			11			43			75		
			12			44			76		
1			13			45			77		
			14			46			78		
			15			47			79		
			16			48			80		
			17			49			81		
			18			50			82		
			19			51			83		
			20			52			84		
2			21			53					
			22			54					
			23			55					
			24			56					
			25			57					

Defective Registry of Ages -		
In Burial Grounds of Dissenters, Jews, and others -		

SUMMARY.

	Males.	Females.	Total.
1st Column - -			
2nd Column - -			
3rd Column - -			
4th Column - -			

[*Eighteen similar Pages, numbered consecutively* 1813–1830, *are to be transmitted to every officiating Minister in England.*]

QUESTION 4th. — NUMBER of illegitimate Children born in the Year 1830. — Males. — Females.

Annual average Number of unentered Marriages. — Births. — Deaths.

QUESTION 5th. — REMARKS in explanation of the Matters stated in answer to the several Questions.

CERTIFICATE of the CLERGYMAN.

I, *A. B.* [Rector, Vicar, Curate, *or* Officiating Minister] of the Parish, Chapelry, &c. of in the County of do certify, That the above Return contains, to the best of my Knowledge and Belief, a full and true Answer to the several Questions contained in the Schedule to an Act, intituled "An Act for taking an Account of the Population of Great Britain, and of the Increase or Diminution thereof."

A. B.

Witness *C. D.* One of the Churchwardens [*or* substantial Householder] of the Parish of this Day of .

II.

FORM of the PRECEPT for giving Notice to High Constables, Overseers, and Householders in England, of the Time and Place appointed by Justices of the Peace for taking the Answers and Returns under this Act.

The County, &c. to wit. } To the Constable [Tythingman *or* Headborough] of in the said County.

YOU are hereby required, with all convenient Speed, to give or cause to be given Notice to the High Constable of the Hundred of and to the Overseers of the Poor of every Parish, Township, or Place within the said Hundred; and if there is no Overseer therein, then to some substantial Householder therein, that they are severally required to appear at on the Day of next, at the Hour of in the Forenoon, before such of His Majesty's Justices of the Peace as shall be then and there assembled, and that the said Overseers or Householders as aforesaid, or some One of them, for every such Parish, Township, or Place, are then and there to deliver upon Oath or Affirmation a just and true Account in Writing, signed by themselves, containing an Answer to the several Questions propounded in the Schedule to an Act, 11th George 4th, intituled "An Act for taking an Account of the Popu- "lation of Great Britain, and of the Increase or Diminution thereof." Given under my Hand [*or* our Hands] this Day of in the Year of our Lord One thousand eight hundred and

III.

FORM of the OATH or AFFIRMATION to the Return.

YOU shall swear [*or* affirm] that the Answers and Returns now made by you to the several Questions contained in the Schedule annexed to an Act, 11th George 4th, intituled "An Act for taking an Account of the Population of "Great Britain, and of the Increase or Diminution thereof," is a full and true Answer to the said Question, to the best of your Knowledge and Belief.

IV.

FORM of INDORSEMENT by the High Constables in England, and by the Sheriffs Clerk or Town Clerk in Scotland.

County of
Riding, Division, or District of
Hundred, Rape, Wapentake, Lathe, Precinct, Soke, Franchise, or Liberty of
City, Borough, Town, or County Corporate, of
Parish, Township, &c. of

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO UNDECIMO

GEORGII IV. REGIS.

***

Excise Duties, Allowances, and Drawbacks on Beer and Malt, and on Spirits, made in Scotland *or* Ireland, *according to the Measure of the new Imperial Standard Gallon*, whereby the following Duties and Allowances on Malt were directed and authorized to be raised, levied, collected, allowed, and paid; that is to say, For and upon every One hundred Gallons Imperial Standard Gallon Measure, and so in proportion for any greater or less Quantity of Malt, made in any Part of the United Kingdom of *Great Britain* and *Ireland* from Barley or any other Corn or Grain, (except Malt made for Home Consumption in *Scotland* from Bear or Bigg only,) or which shall be brought from *Scotland* into *England* without a Certificate from the proper Officer that it hath paid the full Duty thereby imposed, an Excise Duty of One Pound Thirteen Shillings and Four-pence; For and upon every One hundred Gallons Imperial Standard Gallon Measure, and so in proportion for any greater or less Quantity of Malt, which shall be made from Bear or Bigg only in *Scotland*, for Consumption in *Scotland*, One Pound Five Shillings; Allowances, For and upon every One hundred Gallons Imperial Standard Gallon Measure, and so in proportion for any greater or less Quantity of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Strength, distilled in *Scotland* or *Ireland* from Malt only, not being mixed with any unmalted Corn or Grain whatever, after the Rate of Two such Gallons of such Spirits for every Eight Gallons Imperial Standard Gallon Measure of Barley Malt, or Ten such Gallons and Two Third Parts of another such Gallon of Bear or Bigg Malt, in respect of which Spirits any Distiller in *Scotland* or *Ireland* shall be charged with Duty, during the Time that such Distiller shall use Malt only, Five Pounds Sixteen Shillings and Eight-pence: And whereas it is expedient that the lesser Duty payable under the said last-recited Act, on Malt made from Bear or Bigg only in *Scotland*, should be extended to, and be charged, levied, and collected on, Malt made from Bear or Bigg only in *Ireland;* and that the said recited Act of the Third Year of His late Majesty's Reign, and the Provisions for regulating the Allowances and Proportions on Spirits made from Bear or Bigg only in *Scotland*, in the said recited Act of the Fourth Year of His Majesty's Reign, should be extended to *Ireland:* May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and thirty, in lieu of the higher Duty now payable on Malt made from Bear or Bigg in *Ireland*, the Duty which shall be charged, raised, and levied upon such Malt as shall be made from Bear or Bigg only in *Ireland* shall be the Sum of Two Shillings for and in respect of every Bushel of such Malt as shall from and after the said Tenth Day of *October* One thousand eight hundred and thirty be made from Bear or Bigg only in *Ireland*, being after the Rate of One Pound Five Shillings for every One hundred Gallons of such Malt, the Duty imposed by the said last-recited Act on Malt made from Bear or Bigg only in *Scotland:* Provided nevertheless, that from and after the said Tenth Day of *October*

After the 10th October 1830, the Duty to be paid on Malt made from Bear or Bigg in Ireland shall be 2*s.* per Bushel.

October One thousand eight hundred and thirty, the Duty imposed by the said last-recited Act on Malt made from Barley or other Corn or Grain shall be charged and paid for and upon every Bushel of all Malt whatsoever which shall be made in and brought from *Ireland* into *Great Britain*, or which shall be made by any Maltster or Maker of Malt in *Ireland*; save and except such Malt only as shall be made for Home Consumption in *Ireland*, by any such Maltster or Maker of Malt, from Bear or Bigg only, according to and under the several Rules, Regulations, Restrictions, and Provisions in the said recited Act of the Third Year of His Majesty's Reign contained.

The Duty imposed by the last-recited Act shall be charged on all Malt made from Barley in Ireland and brought into Great Britain.

II. And be it further enacted, That the said recited Act of the Third Year of His present Majesty's Reign, for reducing the Duty on Malt made from Bear or Bigg only in *Scotland*, and all Clauses, Enactments, Provisions, Restrictions, Rules, and Regulations therein contained, together with all Fines, Forfeitures, and Penalties thereby imposed, shall be and the same is and are hereby extended to *Ireland*; and the said Duty on Malt made from Bear or Bigg only, hereby extended to and made payable in *Ireland*, and to be charged, levied, and collected on Malt made from Bear or Bigg only in *Ireland*, shall be charged, levied, and collected under the said Clauses, Enactments, Provisions, Restrictions, Rules, and Regulations, Fines, Forfeitures, and Penalties, in the said recited Act contained and thereby imposed, and which shall be in as full Force and Effect, and be carried into execution, in *Ireland*, as fully as if all such Clauses, Enactments, Provisions, Restrictions, Rules, and Regulations, Fines and Forfeitures and Penalties, were repeated, re-enacted, and imposed by this Act.

Powers and Penalties of the recited Act of 3 G. 4. extended to Ireland.

III. And be it further enacted, That from and after the said Tenth Day of *October* One thousand eight hundred and thirty, every Distiller in *Ireland* who shall make or distil any Spirits from Malt only, and who shall claim the Allowance on Spirits made from Malt only granted by the said last-recited Act of the Sixth Year of His present Majesty's Reign, and payable under the Provisions of the said recited Act of the Fourth Year of His present Majesty's Reign, shall, where the Malt used by such Distiller, or any Part thereof, shall be Malt made from Bear or Bigg only in *Ireland*, use and account after the Rate and Proportion of One Bushel and One Fourth of a Bushel and Two Third Parts of a Gallon of such Malt made from Bear or Bigg only, being in the Proportion of Ten Gallons and Two Third Parts of a Gallon, required by the said recited Act of the Sixth Year of His Majesty's Reign, for every Two Gallons of Spirits on which such Allowance shall be claimed, or in default thereof shall pay Duty on the Quantity of Malt which shall appear deficient, after such Rate or Proportion, according to the Provisions of the said recited Act of the Fourth Year of His Majesty's Reign; and all the Provisions, Clauses, Rules, and Regulations in the said last-mentioned Act contained, relating to Malt made from Bear or Bigg only in *Scotland*, or to any Differences, Rates, or Proportions between Malt made from Bear or Bigg only in *Scotland* and Malt made from any other Corn or Grain, or to claiming or paying any Allowance thereon, or on Spirits

Rules to be observed by Distillers in Ireland who shall distil from Malt made from Bear or Bigg, and claim the Allowance granted by the recited Act of 6 G. 4.

Spirits distilled therefrom, shall be and the same are hereby extended to and shall be put in force in *Ireland*.

For removing Doubts as to the Growth of the Bear or Bigg.

IV. And whereas Doubts have arisen under the said recited Acts, whether the Bear or Bigg therein mentioned is Bear or Bigg of the Growth of *Scotland*; be it therefore declared and enacted, That the Bear or Bigg mentioned in the said recited Acts respectively is Bear and Bigg of the Growth of *Scotland* only; and that the Bear or Bigg in this Act mentioned, and on which, when malted in *Ireland*, the Duty of Two Shillings only for every Bushel thereof under the Provisions of this Act is to be charged, levied, and collected, is intended to be Bear and Bigg of the Growth of *Ireland* only; and that the full Duty payable on Malt other than Malt made from Bear or Bigg only shall be levied and paid on every Bushel of Malt which shall be made in *Scotland* and *Ireland* respectively, from any Corn or Grain other than Bear or Bigg grown in *Scotland* and *Ireland* respectively, and made into Malt for Consumption in the Country producing the same.

The full Duty to be levied on Malt made from other Grain in Scotland and Ireland.

Act may be altered.

V. And be it further enacted, That this Act may be amended, altered, or repealed by any Act to be passed in the present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO REGNI

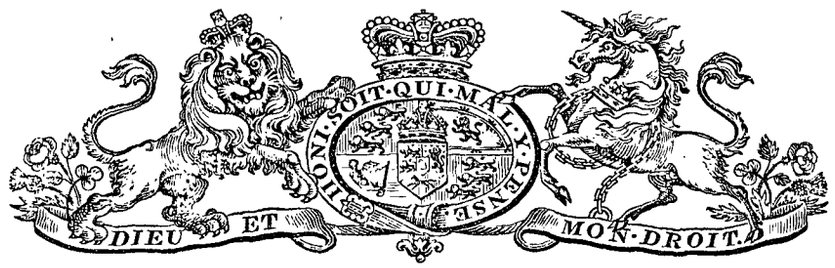
GULIELMI IV.

Britanniarum Regis,

PRIMO.

At the Parliament begun and holden at *Westminster*, the Fourteenth Day of *November*, *Anno Domini* 1826, in the Seventh Year of the Reign of our late Sovereign Lord GEORGE the Fourth:

And from thence continued to the Twenty-sixth Day of *June* 1830, in the First Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of the Faith; being a Continuation of the FOURTH SESSION of the EIGHTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.



LONDON:

Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXII.

An Act to explain Two Acts of His present Majesty, for establishing an Agreement with the Governor and Company of the Bank of *Ireland*, for advancing the Sum of Five hundred thousand Pounds, *Irish* Currency, and for the better Regulation of Copartnerships of certain Bankers in *Ireland*.

[16th *July* 1830.]

WHEREAS by an Act passed in the Parliament in *Ireland* in the Twenty-first and Twenty-second Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing a Bank by the Name of the Governor and Company of the Bank of* Ireland, it was amongst other Things enacted, that from and after the passing of the said Act it should not be lawful for any Body Politic or Corporate, erected or to be erected, other than the Corporation thereby intended to be created into a National Bank, or for any other Persons whatsoever united or to be united in Covenants or Partnerships exceeding the Number of Six Persons, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable at Demand, or at any less Time than Six Months from the borrowing thereof, under a Penalty or Forfeiture by such Persons, Bodies Politic or Corporate, of Treble the Sum

21 & 22 G. 3. c. 16.

Sum or Sums so to be borrowed or taken up on such Bill or Bills, Note or Notes, one Moiety thereof to be paid to the Informer, and the other to the Use of His said Majesty, His Heirs and Successors, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Dublin*: And whereas by another Act, passed in the First and Second Years of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to establish an Agreement with the Governor and Company of the Bank of* Ireland *for advancing the Sum of Five hundred thousand Pounds*, Irish *Currency, and to empower the said Governor and Company to enlarge the Capital Stock or Fund of the said Bank to Three Millions*, it was amongst other Things enacted, that from and after the passing the same Act it should and might be lawful for any Number of Persons in *Ireland*, united or to be united in Societies or Partnerships, and residing and having their Establishments or Houses of Business at any Place not less than Fifty Miles distant from *Dublin*, to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable on Demand, and to make and issue such Notes or Bills accordingly payable on Demand at any Place in *Ireland* exceeding the Distance of Fifty Miles from *Dublin*, the Individuals composing such Societies or Copartnerships being liable and responsible for the due Payment of such Bills or Notes; and such Persons should not be subject or liable to any Penalty for the making or issuing such Bills or Notes, any thing in an Act made in the Parliament of *Ireland* holden in the Twenty-first and Twenty-second Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing a Bank by the Name of the Governor and Company of the Bank of* Ireland, to the contrary notwithstanding; provided always, and it was by the now reciting Act further enacted, that no further or other Power, Privilege, or Authority should, previous to the First Day of *January* One thousand eight hundred and thirty-eight, nor until after Payment to the said Governor and Company of all Sum and Sums of Money which then were or thereafter should or might become due to them from Government, be granted to any Copartnership or Society of Persons whatsoever, contrary to the Laws then in force for establishing or regulating the Bank of *Ireland*, save and except the Power of enabling such Societies or Copartnerships as aforesaid, residing and carrying on their Business not less than Fifty Miles from *Dublin*, to sue and be sued in the Name of a Public Officer, should Parliament thereafter think fit to grant such Power; and it was by the now reciting Act lastly enacted, that nothing therein contained should extend or be construed to extend to authorize any Persons exceeding Six in Number, or any Bodies Politic or Corporate, residing or having their Establishments or House of Business within the Distance of Fifty Miles from *Dublin*, to make or issue any Bill or Bills of Exchange, or any Promissory Note or Notes, contrary to the Provisions of the said in part recited Act of the Twenty-first and Twenty-second Years of the Reign of King *George* the Third: And whereas by an Act passed in the Sixth Year of the Reign of His said present Majesty, intituled *An Act for the better Regulation of Copartnerships of certain Bankers in* Ireland, reciting the lastly herein-before recited Act made and passed in the First

1 & 2 G. 4. c. 72.

21 & 22 G. 3. c. 16.

6 G. 4. c. 42.

and Second Years of His said present Majesty's Reign, and that it was expedient that the said last-recited Act should be altered and amended, it was amongst other Things enacted, that from and after the passing of the said Act of the Sixth Year of His said present Majesty's Reign it should and might be lawful for any Number of Persons united or to be united in any Society or Copartnership in *Ireland*, consisting of more than Six in Number, and not having the Establishments or Houses of Business of such Society or Copartnerships at any Place or Places less than Fifty Miles distant from *Dublin*, to carry on the Trade and Business of Bankers in like Manner as Copartnerships of Bankers consisting of not more than Six in Number might lawfully do, and to borrow, owe, or take up any Sum or Sums of Money on their Bills or Notes payable on Demand, or at any Time after Date or after Sight, and to make and issue such Notes or Bills accordingly at any Place in *Ireland* exceeding the Distance of Fifty Miles from *Dublin*, all the Individuals composing such Societies or Copartnerships being liable and responsible for the due Payment of all such Bills or Notes in manner therein-after provided, any thing contained in the said Act made in the Parliament of *Ireland* in the Twenty-first and Twenty-second Years of the Reign of His late Majesty King *George* the Third, herein-before recited, or in the herein-before recited Act of the First and Second Years of His present Majesty's Reign, or in any other Act or Acts, or any Law, Usage, or Custom, to the contrary in anywise notwithstanding; and it was by the same Act further enacted, that it should and might be lawful for any such Society or Copartnership from Time to Time to have, employ, or appoint any Agent or Agents to do or transact, on behalf of any such Society or Copartnership, all such Business, Matters, and Things as such Society or Copartnership might lawfully do, and as were not contrary to any Act or Acts then in force, and to the Provisions of the now reciting Act; provided always, and it was by the same Act further enacted, that nothing therein contained should extend or be construed to extend to enable or authorize any such Society or Copartnership, either by any Member or Members thereof, or by their Agent or any other Person on behalf of any such Society or Copartnership, to pay, issue, or re-issue at *Dublin*, or within Fifty Miles thereof, any Bill or Note of such Society or Copartnership which should be payable to Bearer on Demand, or any Bank Post Bill, nor to draw upon any Partner or Agent who might be resident in *Dublin*, or within Fifty Miles thereof, any Bill of Exchange which should be payable on Demand, or which should be for less Amount than Fifty Pounds, nor to borrow, owe, or take up in *England* or in *Dublin*, or within Fifty Miles thereof, any Sum or Sums of Money on any Promissory Note or Bill of any such Society or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, or to make or issue any Bill or Bills of Exchange or Promissory Note or Notes of any such Society or Copartnership contrary to the Provisions of the said recited Act of the Twenty-first and Twenty-second Years of the Reign of King *George* the Third, or of the First and Second Years of the Reign of His present Majesty, save as aforesaid, save as provided by the now reciting Act in that Behalf; provided always,

and it was by the now reciting Act further enacted, that nothing contained in that Act or any other Act or Acts should extend or be construed to prevent any Person or Persons whatever, whether resident in *Great Britain* or *Ireland*, from being or becoming a Member or Members of any such Society or Copartnership in *Ireland* as aforesaid, or from being or becoming a Subscriber and Contributor or Subscribers and Contributors to the Stock and Capital of any such Society or Copartnership; and that any such Society or Copartnership which should or might have been formed or begun to be formed under or by virtue of the Provisions contained in the herein-before recited Acts of the First and Second Years, and an Act, therein recited, made and passed in the Fifth Year of the Reign of His present Majesty, and of which any Person or Persons should be or should become a Member or Members, or to which any such Person or Persons should become a Subscriber or Subscribers or Contributor or Contributors as aforesaid, should be or be deemed and taken to all Intents and Purposes to be a Society or Copartnership of Persons united in *Ireland* within the true Intent and Meaning of the now reciting Act, any thing in the now reciting Act, or in any other Act or Acts, or any Law, Usage, or Custom, to the contrary notwithstanding; provided always, and it was by the now reciting Act lastly enacted, that nothing in the said now reciting Act contained should be construed to prevent any such Society or Copartnership from doing any Act, Matter, or Thing which, but for the express Provision of the now reciting Act, they would by Law be entitled to do: And whereas it hath been doubted whether such Banking Societies or Copartnerships, consisting of more than Six in Number, already created or to be created, and not having their Establishments or Houses of Business not less than Fifty Miles late *Irish* Measurement from *Dublin*, might lawfully pay in *Dublin* their Notes or Bills payable to Bearer on Demand, for the Purpose of withdrawing the same from Circulation in *Dublin*, or within Fifty Miles late *Irish* Measurement thereof; and it is expedient that such Doubt should be removed: Be it therefore enacted and also declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it is and shall be lawful for any Number of Persons united or to be united in any Society or Copartnership in *Ireland* as in and by the said Acts or either of them is mentioned or provided, consisting of more than Six in Number, and not having the Establishments or Houses of Business of such Society or Copartnership at any Place or Places less than Fifty Miles of the late *Irish* Measurement distant from *Dublin*, to pay in *Dublin*, for the Purpose of withdrawing them from Circulation in *Dublin*, or within Fifty Miles of the late *Irish* Measurement thereof, by any Bankers, Agents, or Correspondents, or any other Person or Persons on behalf of such Society or Copartnership, whether such Bankers, Agents, Correspondents, or other Person or Persons shall be Members or a Member of such Society or Copartnership, any Bills and Notes of such Society or Copartnership made payable to Bearer on Demand, yet so nevertheless that all such Bills and Notes so paid in *Dublin* and withdrawn from Circulation as aforesaid may be re-issued at the Place where such

Copartnership Bankers, within a certain Distance, may pay their Notes in Dublin.

Bills or Notes were originally issued: Provided always, that such Bills or Notes are and shall be originally issued and made payable at some Place or Places, specified in such Bills or Notes, exceeding the Distance of Fifty Miles of the late *Irish* Measurement from *Dublin*, and not elsewhere, and shall not be re-issued within Fifty Miles of the last *Irish* Measurement of *Dublin*.

Copartnership Bankers, paying their Notes in Dublin, not liable to Penalties.

II. And be it further enacted and declared, That no Persons united in any such Society or Copartnerships as aforesaid in *Ireland*, for the Purposes aforesaid, and consisting of more than Six in Number, are or shall, individually or collectively, be subject or liable to any Penalty for or on account of the Payment in *Dublin*, in the Manner aforesaid, of any such Bills or Notes as it is by this Act declared may be lawfully paid in *Dublin*, and which may have been so paid before the passing of this Act.

Notes so paid in Dublin, not to be re-issued there.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable or authorize any such Society or Copartnership, either by any Member or Members thereof, or by their Agent or any other Person on behalf of such Society or Copartnership, to issue or re-issue, nor to exempt such Society or Copartnership from any Penalties to which they may now be liable for having issued or re-issued, at *Dublin*, or within Fifty Miles thereof of the late *Irish* Measurement, any Bill or Note of such Society or Copartnership payable to Bearer on Demand, or any Bank Post Bill, nor to draw upon any Partner or Agent who may be resident in *Dublin*, or within Fifty Miles of the last *Irish* Measurement thereof, nor to exempt such Societies or Copartnerships from any Penalties to which they may now be liable for having already drawn any Bill of Exchange payable to Bearer on Demand, or which shall be for less Amount than Fifty Pounds.

Not to authorize Bankers to borrow Money contrary to 21 & 22 G. 3.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize and empower any such Societies or Copartnerships to borrow, owe, or take up, nor to exempt any such Societies or Copartnerships from any Penalties they are now liable to for having borrowed, owed, or taken up, in *England* or in *Dublin*, or within Fifty Miles of the late *Irish* Measurement thereof, any Sum or Sums of Money on any Promissory Note or Bill of any such Society or Copartnership payable on Demand, or at any less Time than Six Months from the borrowing thereof, nor to make or issue any Bill or Bills of Exchange or Promissory Note or Notes of such Society or Copartnership, contrary to the Provisions of the said recited Acts of the Twenty-first and Twenty-second Years of the Reign of King *George* the Third, save as provided by the said recited Acts of the First and Second and Sixth Years of the Reign of King *George* the Fourth, and by this Act.

Act not to prejudice present Powers of Bankers.

V. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to abridge or prejudice or to put any Construction on the said recited Acts, or any of them, tending to abridge or prejudice any Powers

Powers or Privileges which any such Societies or Copartnerships are authorized and entitled to use or exercise under or by virtue of the herein-before recited Acts or any of them, save and except that no such Societies or Copartnerships are or shall be considered as authorized or empowered by the said recited Acts, or any of them, to issue or re-issue any Notes made payable to Bearer on Demand in *Dublin*, or any Place within Fifty Miles of the late *Irish* Measurement thereof.

Account of new Officers or Places of Banking in the Course of any Year to be

VI. And whereas by the said recited Act passed in the Sixth Year of the Reign of His present Majesty, it was amongst other Things further enacted, that between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* following, an Account or Return should be made out by the Secretary or some other Officer of every such Society or Copartnership, and should be signed by such Secretary or other Officer, and should be verified by the Oath of such Officer taken before any Justice of the Peace (and which Oath any Justice of the Peace was thereby authorized and empowered to administer) according to the Form contained in the Schedule to that Act annexed, and in every such Account or Return there should be set forth the true Name or Firm of such Society or Copartnership, and also the Names and Places of Abode of all the Partners concerned or engaged in such Society or Copartnership, as the same respectively appear on the Books of such Society or Copartnership, and the Firm and Name of and every Bank or Banks established or to be established by such Society or Copartnership, and also the Names of Two or more Individuals of such Society or Copartnership who should be resident in *Ireland*, each and every of whom should respectively be considered as a Public Officer of such Society or Copartnership, and the Title of Office or other Description of every such Individual respectively in the Name of any One of whom such Society or Copartnership should sue and be sued as hereinafter provided, and also the Name of every Town and Place where any such Bills or Notes should be issued by any such Society or Copartnership, or by any Agent or Agents of any such Society or Copartnership; and every such Account or Return should be produced at the Stamp Office in *Dublin*, and an Entry and Registery thereof should be made in a Book or Books to be kept for that Purpose at the said Stamp Office by some Person or Persons to be appointed for that Purpose by the Commissioners of Stamp Duties; and if, after the passing of that Act, any such Society or Copartnership should omit or neglect to deliver at the Stamp Office in *Dublin* such Account and Return as was by that Act required, such Society or Copartnership should, for each and every Week they should so neglect to make such Account and Return, forfeit the Sum of Five hundred Pounds; and it was further enacted, that whenever any Entry and Registry of the Firm or Name of any such Society or Copartnership should be made at the Stamp Office, in manner aforesaid, at any Time between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* following, a Certificate of such Entry or Registry should be granted by the said Commissioners of Stamps, or by some Person deputed and authorized by the said Commissioners for that Purpose,

Purpose, to the Society or Copartnership by or on whose Behalf such Entry or Registry should be made, and such Certificate should be written on Vellum, Parchment, or Paper duly stamped with a Stamp required by Law for Certificates to be taken out yearly by any Banker or Bankers in *Ireland*, and a separate and distinct Certificate on a separate Piece of Vellum, Parchment, or Paper, with a separate and distinct Stamp, should be granted for and in respect of every Town and Place where any such Bill or Note should be issued by any such Society or Copartnership, or by any Agent or Agents for or on account of such Society or Copartnership, and every such Certificate should specify the proper Firm, Style, Title, or Name of such Society or Copartnership under which such Notes were to be issued, and also the Name of the Town or Place or the several Towns or Places where such Notes were to be issued, and the Christian and Surname and Place of Abode and Title of Office or other Description of the several Individuals named respectively as the Public Officers of such Society or Copartnership, in the Name of any One of whom such Society or Copartnership should sue and be sued; and every Certificate should be dated on the Day on which the same should be granted, and should have effect and continue in force from the Day of the Date thereof until the Twenty-fifth Day of *March* following, both inclusive, and no longer, and should be sufficient Evidence of the Appointment and Authority of such Public Officers respectively: And whereas by the said last-recited Act no Provision is made for adding to the Registry, between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year, the Name or Names of any additional Public Officer or Public Officers, or of any additional Place or Places where such Societies or Copartnerships may establish a Bank or Banks, or issue the Bills or Notes thereby authorized; be it therefore further enacted, That from and after the passing of this Act it shall and may be lawful to and for such Societies or Copartnerships from Time to Time, and at any Times between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year, to make out upon Oath, and cause to be delivered to the Commissioners of Stamps, in manner mentioned in the said last-recited Act of the Sixth Year of the Reign of King *George* the Fourth, a further Account or Return or further Accounts or Returns, according to the Form contained in the Schedule to this Act annexed, of the Name or Names of any Person or Persons who shall have been nominated or appointed a new or additional Public Officer or Public Officers of such Society or Copartnership, or of the Name of any new or additional Town or Towns, or Place or Places, where such Bills or Notes are or are intended to be issued, and where the same are to be made payable, or of both or either of the above Matters together or separately; and such further Accounts or Returns shall from Time to Time be filed and kept and entered and registered at the Stamp Office in *Dublin* in like Manner as is by the said Act of the Sixth Year of the Reign of King *George* the Fourth required with respect to the original or annual Account or Return thereby directed to be made, and that thereupon an additional Certificate

or additional Certificates of such Account and Return or Accounts and Returns shall be granted by the Persons, and in the same Manner, and upon the same Stamps, and containing the same Particulars as in the said recited Act of the Sixth Year of the Reign of His present Majesty particularly mentioned; and which additional Certificate or Certificates shall have effect and continue in force from the Day of the Date thereof until the Twenty-fifth Day of *March* following, and no longer, and shall be sufficient Evidence of the Appointment and Authority of the Public Officers respectively.

Additional Certificates to be granted.

Certified Copies of Returns to be Evidence of the Appointment of the Public Officers, &c.

VII. And be it further enacted, That a Copy of any such Account or Return so filed or kept and registered at the Stamp Office as by the said recited Act of the Sixth Year of the Reign of His present Majesty and by this Act is directed, and which Copy shall be certified to be a true Copy under the Hand or Hands of One or more of the Commissioners of Stamps, or other Officer or Officers of the Stamp Office in *London* or *Dublin* for the Time being, upon Proof made that such Certificate has been signed with the Handwriting of the Person or Persons making the same, and whom it shall not be necessary to prove to be a Commissioner or Commissioners, Officer or Officers, shall in all Proceedings, Civil or Criminal, and in all Cases whatsoever, be received in Evidence as Proof of the Appointment and Authority of the Public Officers named in such Account or Return, and also of the Fact that all Persons named therein as Members of such Society or Copartnership were Members thereof at the Date of such Account or Return.

Commissioners of Stamps to give certified Copies of Returns, on Payment of 10*s*.

VIII. And be it further enacted, That the said Commissioners of Stamps or other Officers of the Stamp Office for the Time being shall and they are hereby required, upon Application made to them by any Person or Persons requiring a Copy, certified according to this Act, of any such Account or Return as aforesaid, in order that the same may be produced in Evidence, or for any other Purpose, to deliver to the Person or Persons so applying for the same such certified Copy, he, she, or they paying for the same the Sum of Ten Shillings, and no more.

Explaining the Time at which Societies are to make Returns to the Stamp Office.

IX. And whereas Doubts have arisen as to the Mode and Times at which the Societies or Copartnerships authorized by the said recited Act of the Sixth Year of the Reign of King *George* the Fourth, by the Terms of the said Act, are required to make a Return or Account of the Sales and Transfers of their Shares; be it therefore further enacted and declared, That it is and shall be the true Intent and Meaning of the said recited Act of the Sixth Year of the Reign of King *George* the Fourth, that such Societies and Copartnerships are not and shall not be liable or obliged to make any Return or Account to the Stamp Office in *Dublin* of any Sale or Transfer of their Shares which shall take place between the Twenty-fifth Day of *March* in any Year and the Twenty-fifth Day of *March* in the succeeding Year; but the said Societies or Copartnerships shall only be liable and obliged to make an Account or Return to the Stamp Office in *Dublin* Once in every Year in the Manner and containing the Particulars in the said Act mentioned.

SCHEDULE.

RETURN or Account to be entered at the Stamp Office in Dublin, on behalf of [*name Society or Copartnership*], in pursuance of an Act passed in the Year of the Reign of King George the Fourth, intituled [*insert the Title of this Act;*] videlicet,

NAMES of any and every new or additional Public Officer of the said Society or Copartnership; videlicet,

A. B. in Room of *C. D.* deceased *or* removed, *or* in addition to *C. D.* and *E. F.* [*as the Case may be; set forth every Name.*]

NAMES of any additional Town or Place or Towns or Places where Bills or Notes are to be issued, and where the same are to be made payable:

[*Set forth the Names.*]

A. B. of Secretary [*or other Officer*] of the above-named Society or Copartnership, maketh Oath and saith, That the above doth contain the Name and Place of Abode of every Person who hath become or been appointed a Public Officer of the above Society or Copartnership since the Registry [*or* last Account or Return] of the said Society or Copartnership, on the Day of last, as the same respectively appear on the Books of the said Society or Copartnership, and to the best of the Information, Knowledge, and Belief of this Deponent.

Sworn before me, the Day of in the County of .

C. D. Justice of the Peace in and for the said County.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXIII.

An Act to continue for One Year, and from thence until the End of the then next Session of Parliament, the Acts for the Relief of Insolvent Debtors in *Ireland*. [16th *July* 1830.]

WHEREAS an Act was passed in the Session holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Relief of Insolvent Debtors in* Ireland, to continue in force until the First Day of *August* One thousand eight hundred and twenty-six, and thenceforth until the End of the then next Session of Parliament, and no longer, which Act was amended by an Act passed in the Third Year of His said late Majesty's Reign: And whereas by an Act made in the Seventh and Eighth Years of His said late Majesty's Reign both the said Acts were continued, and by an Act made in the last Session of Parliament both the said Acts were continued and amended, and the said Acts are in force until the End of this present Session of Parliament, and it is expedient that the said Acts should be further continued; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and

1&2G.4c.59. 3G.4.c.124. 10G.4.c.36.

The Two first-recited Acts and that of last Session continued.

and by the Authority of the same, That the said Two first-recited Acts, and also the said recited Act of the last Session of Parliament, shall be and the said Acts are hereby continued, and shall remain in force for One Year, and from thence until the End of the then next Session of Parliament.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXIV.

An Act to authorize the Advance of a certain Sum, out of the Consolidated Fund, for the Completion of the *Shubenaccadie* Canal in *Nova Scotia*.

[16th *July* 1830.]

WHEREAS the *Shubenaccadie* Canal Navigation in *Nova Scotia*, for connecting the Harbour of *Halifax* with the Basin of *Mines* at the Head of the Bay of *Funday*, is a Work which, when completed, will be of great public Utility: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to order and direct that any Sum of Money, not exceeding the Sum of Twenty thousand Pounds in the whole, shall be lent and advanced and paid, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the President and Directors of the Company for making the *Shubenaccadie* Canal, to be applied by the said President and Directors towards defraying the Expences of completing the said Canal; and such Sum of Money shall be so lent and advanced, at such Times, in such Proportions and Manner as the said Commissioners of the Treasury shall think fit

Treasury may advance a certain Sum, out of Consolidated Fund, for completing the Shubenaccadie Canal.

fit and proper; and the Repayment of all Sums of Money so advanced under this Act, with Interest, within the Term of Ten Years from the passing of this Act, shall be secured by an Assignment of the Tolls and Profits of the said Canal to such Persons, in such Manner, and under such Conditions and Regulations as the said Commissioners of the Treasury shall order and direct.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXV.

An Act to continue Compositions for Assessed Taxes for a further Term of One Year, and to grant Relief from and alter and repeal the said Duties in certain Cases. [16th *July* 1830.]

WHEREAS the Duties of Composition for the Assessed Taxes in force under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act to continue Compositions for the Duties of Assessed Taxes for a further Term of One Year*, will expire on the Fifth Day of *April* One thousand eight hundred and thirty-one; and it is expedient to continue such Compositions for a further Term, subject to the Provisions herein-after contained: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Duties now payable under every Contract of Composition for the said Duties of Assessed Taxes by virtue of the said Act passed in the last Session of Parliament, and every Contract and Composition respectively (except in the Cases herein-after mentioned), shall and are hereby declared to be continued to His Majesty, to the like annual Amounts as are now payable under such Contracts and Compositions, for the further Period of One Year, to commence from the said Fifth Day of *April* One thousand eight hundred and thirty-one; and all Persons paying the said several

10 G. 4. c. 21.

Duties of Assessed Taxes, payable under Contracts of Composition, continued to 5th April 1832.

Persons paying the said Duties at the appointed Time, to have the Benefit of their Contracts as if originally made.

several Duties of Composition for the said further Term of One Year, by Two equal half-yearly Payments, on or before the Tenth Day of *October* One thousand eight hundred and thirty-one and on or before the Fifth Day of *April* One thousand eight hundred and thirty-two respectively, shall have the full Benefit of their respective Contracts and Compositions to all Intents as if the same had been originally in force for a Term or Terms to expire on the said Fifth Day of *April* One thousand eight hundred and thirty-two.

Limiting the Extension of this Act.

II. Provided always, and be it further enacted, That this Act shall not extend to any Person who shall be desirous of determining his or her Composition on the Fifth Day of *April* One thousand eight hundred and thirty-one, and who shall on or before the Tenth Day of *October* One thousand eight hundred and thirty give Notice in Writing of such his or her Desire to the Assessor or Collector of the Parish or Place, or to the Surveyor acting in the Execution of this Act for the District in which such Composition shall be payable.

Duties repealed in respect of Sons of Employers under 21 Years;

III. And whereas it is also expedient to grant Exemptions from the said Duties of Assessed Taxes in particular Cases, and to reduce certain of the said Duties in respect of the Articles herein-after mentioned; be it further enacted, That for any Year commencing from and after the Fifth Day of *April* One thousand eight hundred and thirty Exemptions shall be allowed from the Duties in respect of Male Servants and Male Persons respectively described in Schedule (C.) of the said Acts, Number One and Number Three, in the Cases herein mentioned; *videlicet*, in respect of any Male Servant or Male Person who shall be the Son of the Employer, and shall be under the Age of Twenty-one Years; and in respect of any Carriage in Schedule (D.) of the said Acts described with less than Four Wheels, each of which shall be of less Diameter than Thirty Inches, kept by any Person for his or her own Use and not for Hire, and which shall be drawn by any Pony or Mule not exceeding Twelve Hands in Height; and also in respect of One Horse, Mare, or Gelding *bonâ fide* kept and usually employed by any Person for the Purpose of Husbandry on the Farm or Estate occupied by him or her, although occasionally used for the Purpose of riding, where such Farm shall be of less Value than Two hundred Pounds *per Annum*, estimated as in Cases of Exemptions under Schedule (E.) of the Acts now in force; provided that all such respective Articles hereby exempted shall be duly returned and the Exemptions claimed in the Manner directed by the Acts in force relating to the said Duties of Assessed Taxes.

and on Carriages with less than 4 Wheels of particular Construction, drawn by Ponies under 12 Hands;

and on Farmers under 200*l.* a Year for a Husbandry Horse occasionally rode.

Duties on Carriages and Horses reduced in certain Cases.

IV. And be it further enacted, That for and in lieu of the Duties described in the said Schedule (D.) now in force and chargeable for Carriages with Four Wheels, and for Carriages with less than Four Wheels, and also the Duties described in Schedule (E.) of the said Acts now in force on Horses, Mares, Geldings, or Mules, next herein-after described, there shall be charged, for any Year commencing from and after the said Fifth Day of *April* One thousand eight hundred and thirty, the several reduced Duties following, and which reduced Duties shall be assessed, raised, levied, collected,

and accounted for in like Manner as the Duties now in force; (that is to say,)

Four-wheel Carriages drawn by Ponies;

For every Carriage with Four Wheels, each being of less Diameter than Thirty Inches, where the same shall be drawn by a Pony or Ponies, Mule or Mules, exceeding Twelve Hands, and neither of them exceeding Thirteen Hands in Height, the annual Sum of Three Pounds Five Shillings:

or drawn by One Horse;

And for every Carriage with Four Wheels, described in the said Schedule (D.), Number One, drawn by One Horse, Mare, Gelding, or Mule, and no more, the annual Sum of Four Pounds Ten Shillings:

Carriages used by common Carriers in Conveyance of Goods, and occasionally Passengers, where the Stamp Office Duty is not payable;

And for every Carriage with Four Wheels, described in the said Schedule (D.), Number One or Number Two, used by any common Carrier principally and *bonâ fide* for and in the Carriage of Goods, Wares, or Merchandize, by which he or she shall seek a Livelihood, where such Carriage shall be occasionally only used in the Conveyance of Passengers for Hire, and in such Manner that the Stamp Office Duty, or any Composition for the same, shall not be payable under any Licence by the Commissioners of Stamps, the annual Sum of Two Pounds Ten Shillings:

And where such Carriage last aforesaid shall have less than Four Wheels, the annual Sum of One Pound Five Shillings:

and Horses drawing such Carriages.

And for each and every Horse, Mare, Gelding, or Mule used by any common Carrier in drawing any such last-mentioned Carriage respectively, there shall not by reason thereof be charged any other or higher Duty than the Duty payable by Schedule (F.) of the said Acts.

Powers and Provisions of former Acts to be executed by Commissioners, &c. for the further Term.

V. And be it further enacted, That all and every the Powers and Provisions contained in or authorized by the said Act passed in the last Session of Parliament, or any Act or Acts therein mentioned, shall be observed, followed, and executed by the several Commissioners, Surveyors, Inspectors, Collectors, and other Officers acting in the Execution of the said Acts and of this Act, or otherwise, for charging, collecting, levying, enforcing Payment, and paying and accounting for the said Duties of Composition hereby made payable for the further Term of One Year, by the half-yearly Instalments and in the Manner aforesaid, to all Intents as if such Contracts and Compositions respectively had been originally entered into, renewed, or continued in force under the said Acts until the Fifth Day of *April* One thousand eight hundred and thirty-two.

Act may be repealed this Session.

VI. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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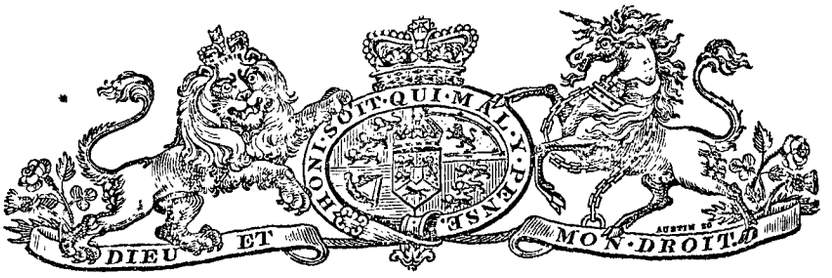

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXVI.

An Act for altering and amending the Law regarding Commitments by Courts of Equity for Contempts, and the taking Bills *pro Confesso*.

[16th *July* 1830.]

WHEREAS by Two several Acts, the one passed in the Fifth Year of the Reign of His late Majesty *George* the Second, intituled *An Act for making Process in Courts of Equity effectual against Persons who abscond and cannot be served therewith, or refuse to appear;* and the other, passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend an Act passed in the Fourth Year of His present Majesty, intituled 'An Act for preventing Inconveniences arising 'in Cases of Merchants, and such other Persons as are within the 'Description of the Statutes relating to Bankrupts, being entitled to 'Privilege of Parliament and becoming insolvent, and to prevent Delay 'in the entering Appearances in Actions brought against Persons having 'Privilege of Parliament;'* certain Provisions were made for entering Appearances and taking Bills in Equity *pro Confesso:* And whereas it is expedient to alter and amend and to consolidate the Laws on that Subject; and it is also expedient to alter and amend the Law relating to Commitments by Courts of Equity for Contempts; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority

5 G. 2. c. 25.

45 G. 3. c. 124.

Recited Act 5 G. 2. and so much of 45 G. 3. as relates to Courts of Equity, and the reading of Bills of Discovery as Evidence, repealed.

Authority of the same, That the whole of the said recited Act of the Fifth Year of King *George* the Second, and so much of the said recited Act of the Forty-fifth Year of His late Majesty *George* the Third, as relates to Courts of Equity, and the reading of Bills of Discovery as Evidence, shall be and the same are hereby repealed; but so as not to affect any thing done or executed in pursuance thereof respectively; and any Suit, Matter, or Thing now in progress under the Authority of the said Acts respectively, and not completed, shall or may be completed under the Powers of this Act; and all the Powers of this Act shall or may be exercised as well in regard to new Suits, Commitments, Discharges, Conveyances, Fines, Recoveries, Matters, or Things, as to Suits, Commitments, Discharges, Conveyances, Fines, Recoveries, Matters, or Things now subsisting or remaining to be made, done, or perfected, whether the Powers of the said Acts or any of them respectively shall or shall not have been applied thereto.

Warden of the Fleet to keep a Register of Persons committed, and report Four Times a Year to the Lord Chancellor.

II. And be it further enacted, That the Warden of the *Fleet* Prison shall keep a Register of the Names of all Persons committed by the Courts of Equity for Contempts, stating the Dates and the Grounds of their several Commitments, and the Dates of their respective Discharges, and shall, on the Twentieth Day of *January*, the Twentieth Day of *April*, the Twentieth Day of *July*, and the Twentieth Day of *October*, in every Year, make a Report to the Lord Chancellor of the Names and Descriptions of such Prisoners in his Custody on each of such Days respectively, with the Causes and Dates of their respective Commitments.

Manner of proceeding in case of Persons not appearing within the usual Time after Subpœna or other Process has been issued.

III. And whereas sometimes Persons have withdrawn themselves beyond the Seas, or otherwise absconded, to avoid appearing in Courts of Equity, or being served with Process for that Purpose, or being brought into Court by Habeas Corpus, have refused to appear; for Remedy of the Inconvenience thence ensuing, be it further enacted, That if in any Suit which hath been or hereafter shall be commenced in any Court of Equity, any Defendant against whom any Subpœna or other Process shall issue, shall not cause his Appearance to be entered upon such Process within such Time and in such Manner as according to the Rules of the Court the same ought to have been entered in case such Process had been duly served, and an Affidavit or Affidavits shall be made to the Satisfaction of such Court that such Defendant is beyond the Seas, or that upon Inquiry at his usual Place of Abode he could not be found so as to be served with such Process, and that there is just Ground to believe that such Defendant is gone out of the Realm, or otherwise absconded, to avoid being served with the Process of such Court; then and in such Case the Court out of which such Process issued, may make an Order directing and appointing such Defendant to appear at a certain Day therein to be named, and a Copy of such Order shall, within Fourteen Days after such Order made, be inserted in the *London Gazette*, and published on some Lord's Day immediately after Divine Service in the Parish Church of the Parish where such Defendant made his usual Abode within Thirty Days next before such his absenting; and also a Copy of such Order shall, within the Time aforesaid, be posted up as

after mentioned; (that is to say,) a Copy of every such Order made in His Majesty's High Court of Chancery, Court of Exchequer, or the Court of the Duchy Chamber of *Lancaster* at *Westminster*, shall be posted up in some public Place at the Royal Exchange in *London*; and a Copy of every such Order made in any of the Courts of Equity of the Counties Palatine of *Chester*, *Lancaster*, and *Durham*, or of the Great Sessions in *Wales*, shall be posted up at some public Place in some Market Town within the Jurisdiction of the Court by which such Order was made, and nearest to the Place where such Defendant made his usual Abode as aforesaid, such Place of Abode being also within the Jurisdiction of the said Court; and if the Defendant do not appear within the Time limited by such Order, or within such further Time as the Court shall appoint, then on Proof made of such Publication of such Order as aforesaid, the Court being satisfied of the Truth thereof, may order the Plaintiff's Bill to be taken *pro Confesso*, and make such Decree thereupon as shall be thought just, and may thereupon issue Process to compel the Performance of such Decree, either by an immediate Sequestration of the Real and Personal Estate and Effects of the Party so absenting (if any such can be found), or such Part thereof as may be sufficient to satisfy the Demands of the Plaintiff in the said Suit, or by causing Possession of the Estate or Effects demanded by the Bill to be delivered to the Plaintiff, or otherwise, as the Nature of the Case shall require; and the said Court may likewise order such Plaintiff to be paid and satisfied his Demands out of the Estate or Effects so sequestered, according to the true Intent and Meaning of such Decree, such Plaintiff first giving sufficient Security, in such Sum as the Court shall think proper, to abide such Order touching the Restitution of such Estate or Effects as the Court shall think proper to make concerning the same, upon the Defendant's Appearance to defend such Suit, and paying such Costs to the Plaintiff as the Court shall order; but in case such Plaintiff shall refuse or neglect to give such Security as aforesaid, then the said Court shall order the Estate or Effects so sequestered, or whereof the Possession shall be decreed to be delivered, to remain under the Direction of the Court, either by appointing a Receiver thereof, or otherwise, as to such Court shall seem meet, until the Appearance of the Defendant to defend such Suit, and his paying such Costs to the Plaintiff as the said Court shall think reasonable, or until such Order shall be made therein as the Court shall think just.

Persons in Custody so neglecting, to be served with a Copy of the Decree.

IV. Provided always, and be it further enacted, That if any Person against whom any Decree shall be made upon Refusal or Neglect to enter his Appearance, or appoint a Clerk in Court or Attorney to act on his behalf, shall be in Custody or forthcoming, so that he may be served with a Copy of such Decree, then he shall be served with a Copy thereof before any Process shall be taken out to compel the Performance thereof.

Persons out of the Realm affected by such Decrees, if they return within Seven

V. Provided also, and be it further enacted, That if any Decree shall be made in pursuance of this Act against any Person being out of the Realm or absconding, in manner aforesaid, at the Time such Decree is pronounced, and such Person shall, within Seven Years after the making such Decree, return, or become publicly visible, then and

in

Years, to be served with a Copy; or in case of Death, their Heirs, &c.

in such Case he shall likewise be served with a Copy of such Decree within a reasonable Time after his Return or public Appearance shall be known to the Plaintiff; and in case any Defendant against whom such Decree shall be made shall, within Seven Years after the making such Decree, happen to die before his or her Return into this Realm or appearing openly as aforesaid, or shall, within the Time last before mentioned, die in Custody before his or her being served with a Copy of such Decree, then his or her Heir, if such Defendant shall have any Real Estate sequestered, or whereof Possession shall have been delivered to the Plaintiff, and such Heir may be found, or if such Heir shall be a Feme Covert, Infant, or *non compos Mentis*, the Husband, Guardian, or Committee of such Heir respectively, or if the Personal Estate of such Defendant be sequestered, or Possession thereof delivered to the Plaintiff, then his Executor or Administrator (if any such there be), may and shall be served with a Copy of such Decree, within a reasonable Time after it shall be known to the Plaintiff that the Defendant is dead, and who is his Heir, Executor, or Administrator, or where he may be served therewith.

Persons not petitioning a Rehearing of the Cause within Six Months, the Decree to be absolutely confirmed.

VI. Provided always, and be it further enacted, That if any Person so served with a Copy of such Decree shall not, within Six Months after such Service, appear and petition to have the said Cause reheard, such Decree so made as aforesaid shall stand absolutely confirmed against the Person so served with a Copy thereof, his Heirs, Executors, and Administrators, and all Persons claiming or to claim by, from, or under him, or any of them, by virtue of any Act done or to be done subsequent to the Commencement of such Suit.

Persons petitioning a Rehearing within Seven Years, and giving Security for Costs, admitted to answer, and the Cause to be heard again.

VII. Provided always, and be it further enacted, That if any Person so served with a Copy of such Decree shall within Six Months after such Service, or if any Person not being so served shall within Seven Years next after the making such Decree, appear in Court and petition to be heard with respect to the Matter of such Decree, and shall pay down or give Security for Payment of such Costs as the Court shall think reasonable in that Behalf, the Person so petitioning, or his Representatives, or any Person claiming under him by virtue of any Act done before the Commencement of the Suit, may be admitted to answer the Bill exhibited, and Issue may be joined, and Witnesses on both Sides examined; and such other Proceedings, Decree, and Execution may be had thereon, as there might have been in case the same Party had originally appeared, and the Proceedings had then been newly begun, or as if no former Decree or Proceedings had been in the same Cause.

Persons not appearing within Seven Years, and making such Petition, to be absolutely barred.

VIII. Provided always, and be it further enacted, That if any Person against whom such Decree shall be made, his Heirs, Executors, or Administrators, shall not, within Seven Years next after the making of such Decree, appear and petition to have the Cause reheard, and pay down or give Security for Payment of such Costs as the Court shall think reasonable in that Behalf, such Decree made as aforesaid shall stand absolutely confirmed against the Person against whom such Decree shall be made, his Heirs, Executors, and Administrators, and against all Persons claiming or to claim by, from, or under him,

or

or any of them, by virtue of any Act done or to be done subsequent to the Commencement of such Suit; and at the End of such Seven Years it shall and may be lawful for the Court to make such further Order as shall be just and reasonable, according to the Circumstances of the Case.

Not to affect Persons beyond the Seas, unless in certain Cases.

IX. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to warrant or make good any Proceeding against any Person beyond the Seas, unless it shall appear to the Satisfaction of the Court by Affidavit or Affidavits, before the making of such Decree, that such Person had been in that Part of *Great Britain* called *England* within Two Years next before the Subpœna in such Suit issued against such Person.

As to Courts having a limited Jurisdiction.

X. Provided also, and be it further enacted, That the Provisions herein-before contained shall not extend or be construed to extend to warrant or make good any Proceeding against any Person in any Court of Equity having a limited Jurisdiction, unless it shall appear to the Satisfaction of such Court by Affidavit, before the making of such Decree, that such Person had resided within the Jurisdiction of such Court within One Year next before the Subpœna in such Suit issued against such Person.

Defendants brought into Court by Habeas Corpus, or in Custody, and refusing to enter Appearance, Court may enter it for them.

XI. And be it further enacted, That from and after the passing of this Act, if any Defendant, by virtue of any Writ of Habeas Corpus or other Process issuing out of any Court of Equity, shall be brought into Court, and shall refuse or neglect, or, being within the Walls of any Prison in *England* under or charged with an Attachment or other Process of Contempt, shall, after Fourteen Days previous Notice in Writing requiring him to enter an Appearance, refuse or neglect to enter his Appearance according to the Rules or Method required by the said Court, or to appoint a Clerk in Court or Attorney of such Court to act on his Behalf, such Court may appoint a Clerk in Court or Attorney of such Court to enter an Appearance for such Defendant, and such Proceedings may thereupon be had in the Cause as if the Party had actually appeared.

Appearances may be put in for Defendants having Privilege of Parliament in Courts of Equity, on Return of Process of Sequestration.

XII. And whereas in many Cases Persons having Privilege of Parliament are named as Defendants in Suits instituted in Courts of Equity against them, either alone or jointly with other Persons, for enforcing against them Demands and Duties cognizable in Courts of Equity, and in some Cases such Defendants having Privileges of Parliament have stood out to the Return of Process of Sequestration issued against them for enforcing Appearance, and such Process of Sequestration hath not been found sufficient to enforce such Appearance; be it therefore enacted, That from and after the passing of this Act, in case any Defendant having Privilege of Parliament shall, upon a Return of Process of Sequestration issued against him for not putting in an Appearance to any original or other Bill of Complaint instituted against him in a Court of Equity for enforcing Discovery and Relief, or Discovery alone, (as the Case may be,) neglect to appear, that then and in such Case such Court, upon producing the

Return of such Sequestration in Court, may, on the Motion or other Application of the Plaintiff in such Cause, appoint a Clerk in Court to enter an Appearance for such Defendant so having Privilege of Parliament, and such Proceedings may be thereupon had in the Cause as if the Party had actually appeared.

In default of Answer to Bill in Equity against Persons having Privilege of Parliament, Bill shall be taken pro Confesso.

XIII. And whereas in many Cases it is necessary, on the Part of the Persons having legal Rights against Persons having Privilege of Parliament, to proceed by Bill in Equity against such Persons so having Privilege of Parliament, to obtain from them Discovery on Oath of Facts intended to be used or given in Evidence in Courts of Law against the Persons making such Discovery; and in Cases where such Persons having such Privilege as aforesaid shall stand out Process of Contempt, Parties entitled to such Discovery against them have not sufficient Means of compelling or obtaining the same in all Cases; be it therefore enacted, That from and after the passing of this Act, when any Defendant having Privilege of Parliament shall have appeared to any Bill filed against him seeking a Discovery upon Oath, or when an Appearance shall have been entered for such Defendant according to the Provisions aforesaid, and such Person shall refuse or neglect to put in his Answer to such Bill within the Time for that Purpose allowed by the Rules and Orders of such Court, that then it shall and may be lawful for the Plaintiff in such Suit to apply to the Court for an Order that such Bill shall be taken *pro Confesso* against such Defendant, and upon such Application such Court of Equity shall make an Order that such Bill shall be taken *pro Confesso*, unless the Defendant shall within Eight Days after being served with such Order shew good Cause to the contrary.

Such Bill shall be read in Evidence as an Answer admitting the Facts.

XIV. And be it further enacted, That when and so soon as any such Order shall have been pronounced by any such Court of Equity for taking such Bill *pro Confesso*, such Bill in Equity, or an examined Copy thereof, so taken *pro Confesso*, shall be taken and read in any Court of Law or Equity as Evidence of the Facts and Matters and Things therein contained, in the same Manner as if such Facts, Matters, and Things had been admitted to be true by the Answer of the Defendant put in to such Bill; and such Bill so taken *pro Confesso* shall be received and taken in Evidence of such and the same Facts, and on behalf of such and so many Persons, as the Answer of the Defendant to the said Bill could and might have been read and received in Evidence of, in case such Answer had been put in by the Defendant thereto, and had admitted the same Facts, Matters, and Circumstances as in such Bill stated and set forth; and in like Manner every other Bill of Discovery taken *pro Confesso*, under any of the Provisions of this Act, shall or may be taken and read as Evidence of the Facts and Matters and Things therein contained, to the Extent aforesaid.

Rules for Courts of Equity.

XV. And for remedying the Practice of Courts of Equity in regard to Process of Contempt and the taking of Bills *pro Confesso*, be it further enacted, That the Rules and Regulations herein-after provided and contained shall be adopted by the High Court of Chancery, and

shall from henceforth become Orders and Rules of the said Court of Chancery, and be observed and enforced in and by the said Court; (that is to say,)

1. That when a Writ of Attachment shall have duly issued against any Defendant for Contempt in not answering the Bill, and such Defendant shall not have been taken under such Writ, and the Sheriff of the County into which such Writ shall have issued shall make a Return of Non est inventus to the same, the Court shall, upon Motion by or on behalf of the Plaintiff, (Notice of which shall not be required,) order that the Serjeant at Arms attending the Court do apprehend such Defendant and bring him to the Bar of the Court to answer his Contempt, and the same Proceedings may thereupon be had as if such Order had been made in the Manner heretofore in use; provided that before such Order shall in any such Case be made, the Plaintiff applying for the same shall be required to satisfy the Court, by the Affidavit of the Solicitor of the Plaintiff, or of his Town Agent, if the Writ of Attachment was issued by such Town Agent, that due Diligence was used to ascertain the Place where such Defendant was at the Time of issuing such Writ, and in endeavouring to apprehend such Defendant under the same, and that the Person suing forth such Writ verily believed at the Time of suing forth the same that such Defendant was in the County into which such Writ was issued.
2. That if any Defendant, being in Contempt for not answering the Bill, shall have been brought to the Bar of the Court under Process for such Contempt, and shall have been committed or remanded back to the Prison of the *Fleet*, the Plaintiff may sue forth the Writ of Habeas Corpus in the Manner and Form heretofore in use in the like Cases, provided that there shall be at least Twenty-eight Days between the Day on which such Defendant was so committed or remanded back and the Return of such Writ of Habeas Corpus; and upon or after the Return of such Writ of Habeas Corpus, in case such Defendant shall not have put in his Answer, the Court shall order the Bill to be taken *pro Confesso* against such Defendant, in the same Manner as is now usual in the like Cases upon the Return of a Writ of Alias pluries Habeas Corpus, and such Decree shall thereupon be made as shall be thought just; but in regard to any Defendant in Custody before and at the Time of the passing of this Act, there shall be at least Thirty Days between the Time of passing this Act and the Return of such last-mentioned Writ of Habeas Corpus; and it shall not be necessary in the Case of any Defendant now in Custody as aforesaid, who shall have been brought to the Bar of the Court as aforesaid, to sue forth more than One Writ of Habeas Corpus in order to take the Bill *pro Confesso*.
3. That the Party prosecuting any Contempt shall be at liberty, without Order, to sue forth the several Writs in Process of Contempt, returnable immediately in case the Party in Contempt resides or is in *London* or within Twenty Miles thereof; and that in other Cases, the Party prosecuting a Contempt shall be at liberty, without Order, to sue forth such several Writs, returnable

able in Vacation, provided that there be Fifteen Days between the Teste and the Return of each of such Writs.

4. That where a Defendant is confined for a Misdemeanor, and has been brought before the Court upon an Habeas Corpus, and thereupon has been turned over to the *Fleet pro formâ*, but has been carried back to the Prison from whence he came, with his Cause, another Writ of Habeas Corpus may issue, directed to the Gaoler or Keeper of the Prison to which he has been carried back, and thereupon the Defendant shall be brought into Court, and remanded to the Prison from whence he came, with his Cause, without being turned over again to the *Fleet* Prison, and the Bill may be taken *pro Confesso*, in the same Manner in all Respects as if the Defendant had been all along in the Custody of the Warden of the *Fleet*.

5. That if the Defendant, under Process of Contempt for not appearing or not answering, be in actual Custody, and shall not have been sooner brought to the Bar of the Court under Process to answer his Contempt, the Plaintiff, if the Contempt be not sooner cleared, shall bring the Defendant by an Habeas Corpus to the Bar of the Court within Thirty Days from the Time of his being actually in Custody, or detained (being already in Custody) upon Process of Contempt, and if the last Day of such Thirty Days shall happen out of Term, then within the Four first Days of the ensuing Term; and where the Defendant is in Custody of the Serjeant at Arms, or of the Messenger, upon an Attachment or other Process, the Plaintiff shall, within Ten Days after his being taken into such Custody, or if the last of such Ten Days shall happen out of Term then within the first Four Days of the next ensuing Term, cause the Defendant to be brought to the Bar of the Court; and in case any such Defendant shall not be brought to the Bar of the Court within the respective Times aforesaid, the Sheriff, Gaoler or Keeper, Serjeant at Arms or Messenger, in whose Custody he shall be, shall thereupon discharge him out of Custody without Payment by him of the Costs of Contempt, which shall be payable by the Party on whose Behalf the Process issued; and this Rule shall apply to every Defendant in Custody before and at the Time of passing of this Act, who shall not have been brought to the Bar of the Court; but the Thirty Days allowed in the first above mentioned Case, and the Ten Days allowed in the second above mentioned Case, shall be reckoned from the first Day of next Term.

6. That if a Defendant, upon being brought before the Court upon an Habeas Corpus, shall make Oath (which shall be administered to him by the Registrar, and he shall be examined in open Court,) that he is unable by reason of Poverty to employ a Solicitor to put in his Answer, the Court shall thereupon refer it to a Master in Rotation to inquire into the Truth of that Allegation, and to report thereon to the Court forthwith, and thereupon the Court may make such Order as upon other Reports of the like Nature under the Provisions herein-after contained.

7. That

7. That on the Thirtieth Day of *January*, the Thirtieth Day of *April*, the Thirtieth Day of *July*, and the Thirtieth Day of *October*, in every Year, or if any of those Days happen on a *Sunday*, then on the following Day, One of the Masters of the Court of Chancery, to be named by the Court, shall visit the *Fleet* Prison, and examine the Prisoners confined there for Contempt, and shall report their Opinion on their respective Cases to the Court; and thereupon it shall be lawful for the Court to order, if it shall see fit, that the Costs of the Contempt of any such Prisoner shall be paid out of the Interest and Dividends arising from the several Government or Parliamentary Securities standing in the Name of the Accountant General of the said Court of Chancery, intituled "Account of Monies placed out for the Benefit and "better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with Surplus Interest "arising from Securities carried to an Account of Monies placed "out for the Benefit and better Security of the Suitors of the "High Court of Chancery," or out of any Cash standing to either of such Accounts, or to any other Account which is now or hereafter may be standing to the Credit of the Suitors of the said Court of Chancery, (after and subject to the Payment of all Charges which by any Act heretofore passed are directed to be paid thereout,) and to assign a Solicitor and Counsel to such Prisoner, for putting in his Answer and defending him *in formâ pauperis*, and to direct any such Prisoner, having previously done such Acts as the Court shall direct, to be discharged out of Custody; provided that if any such Defendant become entitled to any Funds out of such Cause, the same shall be applied, under the Direction of said Court, in the first Instance to the Reimbursement of the Suitors Fund.

8. That it shall be lawful for the Master visiting the *Fleet*, or to whom the Case of a Prisoner shall be referred by the Court itself, to examine the Prisoner, and all other Persons whom he may think it proper to examine, upon Oath, and to administer an Oath or Oaths to any such Prisoner and other Persons accordingly; and to cause any Officers, Clerks, and Ministers of any Court of Law or Equity to bring and produce upon Oath before him any Records, Orders, Books, Papers, or other Writings belonging to the said Courts, or to any of the Officers within the same as such Officers.

9. That if it shall appear to the Satisfaction of the Court, that any such Prisoner is an Idiot, Lunatic, or of unsound Mind, although no Commission has issued, the Court shall appoint a Guardian to put in his Answer and discharge the Defendant, providing for the Costs in any of the Ways pointed out by this Act, as shall seem just; and if the Court shall see fit, the Defence may be made by such Guardian *in formâ pauperis*.

10. That where the Defendant has been brought to the Bar of the Court for his Contempt in not answering, and refuses or neglects to answer, (not being Idiot, Lunatic, or of unsound Mind,) the Court may, upon Motion or Petition, of which due Notice shall be given personally to the Defendant, authorize the Plaintiff to amend his Bill, without such Amendment

operating as a Discharge of the Contempt, or rendering it necessary to proceed with the Process of Contempt *de novo*; but after such Amendment the Plaintiff may proceed to take the amended Bill *pro Confesso*, in the same Manner as if it had not been amended: Provided nevertheless, that if the Defendant shall be desirous to answer such amended Bill, the Court shall allow him such Time as shall seem just for that Purpose; but if he shall not within the Time allowed by the Court put in a sufficient Answer to the amended Bill, the Process for taking the Bill *pro Confesso* may be resumed and carried on.

11. That in every Case where the Defendant has been brought to the Bar of the Court to answer his Contempt for not answering, and shall refuse or neglect to answer within the next Twenty-one Days, the Plaintiff shall be at liberty, with the Leave of the Court, upon Ten Days previous Notice to the Defendant after the Expiration of such Twenty-one Days, unless good Cause be shown to the contrary, instead of proceeding to have the Bill taken *pro Confesso*, to put in such an Answer to the Bill as herein-after is mentioned, in the Name of the Defendant, without Oath or Signature; and thereupon the Suit shall proceed in the same Manner as if such Answer were really the Answer of the Defendant, with which the Plaintiff was satisfied; and the Costs of the Contempt and of putting in such Answer may be provided for in like Manner as if the Defendant himself had put in such Answer; and such Answer, besides the formal Parts thereof, shall be to the following Effect; that the Defendant leaves the Plaintiff to make such Proofs of the several Matters in the Bill alleged as he shall be able or be advised, and submits his Interests to the Court.

12. That in any Case where, upon the Application of the Plaintiff, the Court shall be satisfied that Justice cannot be done to the Plaintiff without an Answer to the Bill or to the Interrogatories from the Defendant himself, it shall be lawful for the Court to order the Defendant to remain in Custody until Answer or further Order, but without Prejudice to the Plaintiff's availing himself of any of the Provisions of this Act.

13. That where the Defendant is in Contempt for not appearing or not answering, and in actual Custody under Process for such Contempt, or being already in Custody shall be detained by an Attachment for such Contempt, and shall not, where the Contempt is for not appearing, enter an Appearance within Twenty-one Days after he is lodged in Gaol or Prison, or the Attachment is lodged against him, (he being already in Prison,) as the Case may be, or, where the Contempt is for not answering, put in an Answer within Two Calendar Months after he is lodged in Gaol or Prison, or the Attachment is lodged against him, he being already in Prison, the Plaintiff shall (as the Case may be), within Fourteen Days after the Period computed from the Expiration of such Twenty-one Days within which he may by the Provisions of this Act be able to enter such Appearance, cause an Appearance to be entered for the Defendant under the Powers of this Act, and shall at the Expiration of such Two Calendar Months proceed to take the Bill *pro Confesso*, and shall accordingly

obtain an Order for taking the same *pro Confesso* within Six Weeks after the Period computed from the Expiration of such Two Calendar Months within which he may be able to take the same *pro Confesso;* or in default of so doing in either of such Cases, the Defendant shall, upon Application to the Court, be entitled to be discharged out of Custody without paying any of the Costs of the Contempt, unless the Court shall, under the Power herein-before contained, see good Cause to remand and detain the Defendant in Custody; and this Rule shall apply to every Defendant in Custody before and at the Time of the passing of this Act, who shall not have entered his Appearance, and for whom an Appearance shall not have been entered, or shall not have answered the Bill, and the Bill shall not have been taken *pro Confesso,* but the Twenty-one Days and Two Calendar Months respectively to be reckoned from the first Day of next Term, and the other Periods to be altered accordingly in Computation; but nothing in this Act shall prevent any Plaintiff from proceeding to take his Bill *pro Confesso,* according to the Practice existing before the passing of this Act, where at the Time of passing of this Act his Proceedings shall be so far advanced that the Powers of this Act would not enable him to accelerate the Period for taking his Bill *pro Confesso.*

14. That where a Defendant is in Custody for Contempt in not answering, and shall be able to put in his Answer by borrowing or obtaining a Copy of the Bill, without taking an Office Copy of the Bill, he shall not be compellable to take any such Copy, but the Clerk in Court may (if he think the Defendant is of sufficient Ability to pay for an Office Copy) require him, before the Answer is filed, to make an Affidavit denying his Ability in consequence of Poverty to pay for an Office Copy of the Bill.

15. That when any Person shall have been directed by any Decree or Order to execute any Deed or other Instrument, or make a Surrender or Transfer, or to levy a Fine or suffer a Recovery, and shall have refused or neglected to execute, make, or transfer, or levy or suffer the same, and shall have been committed to Prison under Process for such Contempt, or, being confined in Prison for any other Cause, shall have been charged with or detained under Process for such Contempt, and shall remain in such Prison, the Court may, upon Motion or Petition, and upon Affidavit that such Person has, after the Expiration of Two Calendar Months from the Time of his being committed under, or charged with, or detained under such Process, again refuse to execute such Deed or Instrument, or make such Surrender or Transfer, or levy or suffer such Fine or Recovery, order or appoint One of the Masters in Ordinary, or if the Act is to be done out of *London,* then, if necessary, One of the Masters Extraordinary, to execute such Deed or other Instrument, or to make such Surrender or Transfer, for and in the Name of such Person, and to levy such Fine or suffer such Recovery in his Name, and to do all Acts necessary to give Validity and Operation to such Fine and Recovery, and to lead or declare the Uses thereof; and the Execution of the said Deed or other Instrument,

Instrument, and the Surrender or Transfer made by the said Master, and the Fine or Recovery levied or suffered by him, shall in all Respects have the same Force and Validity as if the same had been executed or made, levied or suffered, by the Party himself; and within Ten Days after the Execution or making of any such Deed or other Instrument, or Surrender or Transfer, or levying or suffering such Fine or Recovery, Notice thereof shall be given by the adverse Solicitor to the Party in whose Name the same is executed or made; and such Party, as soon as the Deed or other Instrument, or Surrender, Transfer, Fine, or Recovery shall be executed, made, levied, or suffered, shall be considered as having cleared his Contempt, except as far as regards the Payment of the Costs of the Contempt, and shall be entitled to be discharged therefrom under any of the Provisions of this Act applicable to his Case; and the Court shall make such Order as shall be just, touching the Payment of the Costs of or attending any such Deed, Surrender, Instrument, Transfer, Fine, or Recovery.

16. That where a Person shall be committed for a Contempt in not delivering to any Person or Persons, or depositing in Court or elsewhere, as by any Order may be directed, Books, Papers, or any other Articles or Things, any Sequestrator or Sequestrators appointed under any Commission of Sequestration shall have the same Power to seize and take such Books, Papers, Writings, or other Articles or Things, being in the Custody or Power of the Person against whom the Sequestration issues, as they would have over his own Property; and thereupon such Articles or Things so seized and taken shall be dealt with by the Court as shall be just; and after such Seizure it shall be lawful for the Court, upon the Application of the Prisoner, or of any other Person in the Cause or Matter, or upon any Report to be made in pursuance of this Act, to make such Order for the Discharge of the Prisoner, upon such Terms, and, if it shall see fit, making any Costs in the Cause, as to the Court shall seem proper.

17. That in any other Case of a Commitment for Contempt, not herein specially provided for, the Court may upon any such Application as last aforesaid, or upon any such Report as aforesaid, make such Order for the Discharge of the Prisoner, upon any such Terms, and making, if the Court shall see fit, any Costs Costs in the Cause, as to the Court shall seem proper.

18. That where any Person committed for a Contempt shall be entitled to his Discharge upon applying to the Court, but shall omit to make such Application, the Court may upon any such Report as aforesaid compulsorily discharge such Person from the Contempt and from Custody, and pay the Costs of the Contempt out of any Funds belonging to him over which the Court may have Power, or make them Costs in the Cause as against him, or may discharge him from the Contempt, but leave him in Custody for the Costs, which may be cleared, if he be insolvent, under the Provisions herein-after contained in that Behalf.

19. That where any Party obstinately retains Possession of Lands or other Real Property after a Writ of Execution of a Decree or an Order for Delivery of Possession has been duly served and Demand

Demand of Possession made, and upon an Affidavit of such Service of the Writ of Execution, and of such Demand made thereunder, and a Refusal to comply therewith on the Part of the Person against whom the Writ issued, the Party issuing it shall be at liberty, upon an Affidavit of Service of the Writ of Execution and Demand of Possession and Refusal, to obtain the usual Order of Course for the Writ of Assistance to issue, and that the intermediate Writs of Attachment and Injunction further commanding the Party to deliver Possession, or any other Writ, shall be unnecessary.

20. That in order to relieve Persons in Prison from the Expence of a Master's Attendance to take Affidavits or Answers, the Lord High Chancellor do, by One or more Commission or Commissions under the Great Seal, upon or in respect of which no Fee shall be payable, nominate and appoint the Warden, Keeper, or other Chief Officer of every Prison within the City of *London*, or the Bills of Mortality, and their Deputies, to be Masters Extraordinary of the High Court of Chancery, for the Purpose of taking and receiving such Affidavits and Answers as any Person or Persons within any such Prison shall be willing or desirous to make, and for no other Purpose; and the Person so taking such Affidavit or Answer shall in respect thereof be entitled to receive a Fee of One Shilling, and no more; and the Court of Exchequer shall in like Manner appoint such Persons as aforesaid a Commissioner or Commissioners of the said Court, for the Purposes aforesaid, and no others, and with the Right to the like Fee, and no more; and in every Case of an Answer being sworn in Prison, a Clerk of a Master or Baron (as the Case may require) shall attend to take and carry back to and from the Prison the Answer, and shall in respect thereof be entitled to a Fee of Three Shillings, and no more.

Discharge may extend to Process for Contempt in Nonpayment of Money, and to Costs incurred by Creditor, but subject to Taxation.

XVI. And be it enacted, That the Discharge of any Prisoner adjudicated upon under the Authority of an Act passed in the Seventh Year of His present Majesty's Reign, intituled *An Act to amend and consolidate the Laws for the Relief of Insolvent Debtors in* England, or any other Act which may hereafter be passed for the Relief of Insolvent Debtors, shall and may extend to all Process issuing from any Court of Equity for any Contempt of such Court for Nonpayment of Money, or of Costs, Charges, or Expences in any such Court; and that in such Case, the said Discharge shall be deemed to extend to all Costs which such Prisoner shall be liable to pay in consequence or by reason of such Contempt, or on purging the same; and that every Discharge, so adjudicated as aforesaid, as to any Debt or Damages of any Creditor of such Prisoner, shall be deemed to extend also to all Costs incurred by such Creditor, before the filing of such Prisoner's Schedule, in any Action or Suit brought by such Creditor against such Prisoner for the Purpose, for the Recovery of the same; and that all Persons as to whose Demands for any such Costs, Money, or Expences any such Persons shall be so adjudged to be discharged, shall be deemed and taken to be Creditors of such Prisoner in respect thereof, and entitled to the Benefits of all the Provisions made for Creditors by the said Act, or any future Act; subject nevertheless to

such ascertaining of the Amount of the said Demands as may be had by Taxation or otherwise, and to such Examination thereof as is in the said last-mentioned Act, or as shall be in any future Act provided in respect of all Claim to a Dividend of such Insolvent's Estate and Effects.

When Process of Contempt is for Nonperformance of an Act.

XVII. And be it further enacted, That where the Process of Contempt is for the Nonperformance of an Act, for Example, the not answering the Plaintiff's Bill, and the Bill in Equity to which the Insolvent is a Party is taken *pro Confesso*, and he has not paid the Costs of the Contempt, or the Insolvent has fully answered the Plaintiff's Bill or Interrogatories, or otherwise cleared his Contempt, except as far as regards the Payment of the Costs, or it has become in Event unnecessary for him to do the Act for the Nonperformance of which he was committed or attached, the Court of Equity in which the Suit is depending shall, upon the Application of the Party in Contempt, discharge him from the same, except as to the Costs thereof, for which he shall remain in Custody, and such Costs shall be deemed within the Provision lastly herein-before contained, and he shall be dischargeable therefrom, and from the Process of Contempt, in like Manner as if the Process of Contempt were for Nonpayment of Money or Costs; provided that this Order or Regulation shall not weaken any of the other Powers by this Act given, nor shall anything herein contained lessen the Operation of the said Act for the Relief of Insolvent Debtors.

Powers given by this Act to the Court of Chancery to extend to the Lord Keeper.

XVIII. And be it enacted, That the Powers and Authorities given by this Act to the Court of Chancery, or to the Lord Chancellor of *Great Britain*, shall and may be exercised as well by such Lord Chancellor as by (and they are hereby given to) the Lord Keeper or Commissioners of the Great Seal of *Great Britain* for the Time being, and to the Master of the Rolls and Vice Chancellor respectively; but the Reports of the Warden of the *Fleet*, and of the Masters visiting there, shall be made to the Lord Chancellor, Lord Keeper, or Lords Commissioners only, who alone are to make Orders thereupon for Discharge or Relief of Prisoners.

Certain Rules to be adopted by Court of Exchequer.

XIX. And be it further enacted, That such of the Rules herein-before directed to be adopted by the Court of Chancery as are numbered from Five to Twenty, both inclusive, shall be adopted by the Court of Exchequer, which Court shall, for the Purposes of this Act, draw upon the Suitors Fund of that Court.

Powers contained in such last-mentioned Rules extended to the Court of Exchequer.

XX. And be it further enacted, That the Powers and Authorities contained in such last-mentioned Rules, and given by this Act to the Lord Chancellor, shall and may be exercised in like Manner by, and are hereby given to His Majesty's Court of Exchequer, and may be exercised by the said Court, or by the Lord Chief Baron thereof; but such periodical Visits only to be made to the *Fleet* Prison, in regard to Prisoners for Contempt of the said Court, as the Lord Chief Baron shall direct, and by such Officer or Officers of the Court as he shall nominate.

XXI. And

XXI. And be it further enacted, That wherever this Act, in describing or referring to any Person, or any Conveyance, Transfer, Matter, or Thing, uses the Word importing the Singular Number or the Masculine Gender only, the same shall be understood to include and shall be applied to several Persons as well as One Person, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Conveyances, Transfers, Matters, or Things respectively, as well as One Conveyance, Transfer, Matter, or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction. Rule for the Interpretation of this Act.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXVII.

An Act to amend an Act of the Ninth Year of His late Majesty King *George* the Fourth, to facilitate Criminal Trials in *Scotland*, and to abridge the Period now required between the pronouncing of Sentence and Execution thereof, in Cases importing a Capital Punishment.

[16th *July* 1830.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of King *George* the First, intituled *An Act for the more effectual disarming the Highlands in that Part of* Great Britain *called* Scotland, *and for the better securing the Peace and Quiet of that Part of the Kingdom*, by which it is enacted, that no Sentence importing a Capital Punishment, pronounced in *Edinburgh* or in any Place to the Southward of the Firth or River of *Forth*, shall be put to Execution within less than Thirty Days of the Date of such Sentence; and if pronounced in any Place to the Northward of the said Firth or River, shall be put to Execution within less than Forty Days from the Date of such Sentence: And whereas it is expedient that the said Periods should be abridged: And whereas an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to authorize additional Circuit Courts* 11 G. 1. c. 26. 9 G. 4. c. 29.

Courts of Justiciary to be held, and to facilitate Criminal Trials in Scotland; which Act requires to be amended in certain Points: And whereas it is expedient to afford some additional Facilities in such Trials: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act passed in the Eleventh Year of the Reign of His Majesty King *George* the First as prohibits the Sentences of the Courts of Judicature importing a Capital Punishment from being put to Execution within the Periods therein specified, be repealed.

Abridging the Period between passing a Capital Sentence and the carrying of it into execution.

II. And be it further enacted, That from and after the First Day of *August* next after the passing of this Act every Sentence of any Criminal Court importing a Capital Punishment, if pronounced in *Edinburgh* or in any other Part of *Scotland* to the Southward of the Firth or River of *Forth*, shall specify a Day for having the same put to Execution, not being less than Fifteen Days or more than Twenty-one Days after the Date of such Sentence; and if pronounced in any Place to the Northward of the said Firth or River of *Forth*, the Day to be so specified shall not be less than Twenty Days or more than Twenty-seven Days after the Date of such Sentence.

When Sentence of Capital Punishment is passed, a Day to be named for carrying it into execution.

III. And be it enacted, That so long and as often as an additional Circuit Court shall be held at any Town in *Scotland* during the Recess of the Court of Session in the End of *December* and Beginning of *January*, in Terms of the before-recited Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, the immediately succeeding Circuit Court shall not be held at any such Town sooner than the Twentieth Day of *April*.

Spring Circuit in certain Events not to be held sooner than 20th April.

IV. And be it enacted, That on the Prosecution of Criminal Offences before Sheriffs of Counties according to the summary Form provided by the said last-recited Act, the Person accused, when first brought before the Sheriff, shall be entitled to require a Copy of the Libel against him, and to require that his Trial shall be adjourned for a Space not less than Forty-eight Hours after such Copy of the Libel shall be served upon him; and such Requisitions shall thereupon be complied with, provided that the same shall be made before the Examination of any Witness upon the Trial shall have been commenced; and no such Requisition shall be competent where a Copy of the Libel shall have been served upon the Person accused at least Forty-eight Hours before such Trial.

Regulation as to Criminal Trials before Sheriffs.

V. And be it enacted, That no Adjournment of any such Trial shall take place when the Person accused pleads Not guilty, or at any other Stage of the Trial, except when required by the Person accused, as herein-before provided, unless the Sheriff shall see Cause to authorize such an Adjournment; and it is provided, that when

Further Regulations as to the same.

the Declaration of the Person accused or other Evidence different from Parole Testimony shall be adduced on such Trial, the Production thereof in Evidence shall be marked in the Record of the Trial.

Transmission of Prisoners.

VI. And be it enacted, That it shall be lawful for any Officer of the Law, when lawfully conveying any Prisoner to any Gaol or before any Magistrate, to convey such Prisoner through any County adjoining to that over which the Magistrate possesses Jurisdiction before whom such Prisoner is to be carried for Examination, or to that in which the Gaol is situated to which such Prisoner is to be committed, in the same Way in all respects as if such Officer had been an Officer of the County through which he may so pass, and as if the Warrant under which he is acting had been granted or indorsed by a Magistrate of such County.

Officer may cite Jurors and Witnesses, without Witnesses.

VII. And be it enacted, That it shall be sufficient for the Legal Citation of any Juror or Witness in any Cause or Legal Proceeding, Civil or Criminal, that such Citation be given by any Officer of the Law duly authorized, without Witnesses; and it is hereby provided that the Oath of such Officer in support of the Execution shall be held and received as sufficient Evidence of such Citation when the same shall be questioned in a Court of Law.

Citation of Witnesses.

VIII. And be it enacted, That when the Attendance of any Person shall be required as a Witness in any Criminal Cause or Proceeding, or in any Prosecution for a pecuniary Penalty, before any Court or Magistrate in *Scotland*, such Person, although not residing within the Jurisdiction of the Court or Magistrate granting the Warrant of Citation, may be cited on the Warrant of such Court or Magistrate, and this either by a Messenger at Arms or by an Officer of the Court or Magistrate granting the Warrant, or by an Officer of the Place in which such Person may be for the Time; and such Citation shall be sufficient to enforce the Attendance of such Person as a Witness, in all respects, as if such Person had been resident within the Jurisdiction of the Magistrate by whom such Warrant shall have been granted; and further, that any Sentence or Decree for any pecuniary Penalty or Expences pronounced by any Court or Magistrate may be enforced against the Person or Effects of any Party against whom any such Sentence or Decree shall have been awarded in any other County as well as in the County where such Sentence or Decree is pronounced: Provided always, that such Sentence or Decree, or an Extract thereof, shall be first produced to and indorsed by a Court or Magistrate of such other County competent to have pronounced such Sentence or Decree in such other County.

Conviction for a Crime not to disqualify a Witness.

IX. And be it enacted, That where any Person who hath been or shall be convicted of any Crime (except Perjury or Subornation of Perjury), and shall have endured the Punishment to which such Person shall have been sentenced for the same, such Person shall not thereafter be deemed, by reason of such Conviction or Sentence,

tence, an incompetent Witness in any Court or Proceeding, Civil or Criminal.

Banishment.

X. And be it enacted, That it shall not be competent for any Judge or Magistrate to pronounce upon any Person whatsoever convicted of any Crime a Sentence banishing such Person forth of *Scotland* only, or forth of any Burgh or District or County of *Scotland*, save and except in those Cases where by any Act or Acts of the Parliaments of *Scotland* now in force the Punishment of Banishment forth of *Scotland* is enacted and specially provided for any specific Offence.

As to preparing Returns ordered by this Act and making up County Lists of Jurors under 6 G. 4. c. 22.

XI. And be it enacted, That in preparing the Return ordered by this Act, and in making up Lists of Jurors in Terms of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to regulate the Qualification and the Manner of enrolling Jurors in* Scotland, *and of choosing Jurors on Criminal Trials there, and to unite Counties for the Purposes of Trial in Cases of High Treason in* Scotland, the Sheriffs of Counties shall only employ such Persons to assist in the Discharge of the Duty as shall be authorized by the Court of Exchequer in *Scotland* according to a Regulation to be established by that Court; and such Persons shall not receive any Remuneration for the said Duty other than such as may be fixed by a Table to be prepared and sanctioned by the Court of Exchequer for that Purpose, which Table the said Court is hereby required to cause to be prepared and to sanction accordingly.

Provision as to where Criminal Trials shall be held in certain Cases.

XII. And be it enacted, That where, from the Extent of any Burgh or Town situated at a Distance from the Head Burgh of a Shire, or from any other Cause, it shall be deemed expedient that Trials of Persons accused of Crimes committed in such Burgh or Town, or in Places adjacent thereto, should be there tried, instead of being tried at the said Head Burgh, it shall be lawful for the High Court of Justiciary at *Edinburgh*, on the Application of His Majesty's Advocate, to give all such Directions in that Behalf as the said Court shall think fit; and the Sheriff of the County within which such Burgh or Town is situated shall give Obedience to all Directions so given.

Provisions of 9 G. 4. extended to inferior Judges, &c. in certain Cases.

XIII. And be it enacted, That the said recited Act passed in the Ninth Year of the Reign of His late Majesty, in so far as it provides for rendering all inferior Judges and Magistrates more safe in the Execution of their Duty, shall extend to all Acts done by any such Judge or Magistrate in apprehending any Party, or in regard to any Criminal Cause or Proceeding, or to any Prosecution for a pecuniary Penalty.

Sheriff of Argyleshire may hold Courts and grant Warrants in the

XIV. And whereas from the great Resort of Persons at the Western Extremity of the *Caledonian* Canal, and from the Want of local Magistrates in the Northern District of *Argyleshire*, the Establishment of a Sheriff's Court for the Administration of Justice within such District is required: And whereas there is no Place in which such

such Court can conveniently be held, excepting in the Town of *Fort William*, which Town is situated in the County of *Inverness*, but is in the immediate Vicinity of the said District of *Argyleshire*; be it enacted, That it shall be competent to the Sheriff of the County of *Argyle*, and his Substitutes, and to all other Magistrates of the County of *Argyle*, to grant all Warrants, Civil and Criminal, and to hold all Courts for the Trial of all Causes, Civil and Criminal, and to pronounce Judgment therein, within the Town of *Fort William*, in the same Way and to the same Effect in all respects as if such Warrants were granted and Judgments pronounced within the County of *Argyle*. Town of Fort William.

XV. And be it enacted, That the Sheriff of every County in *Scotland* shall, on or before the Fifteenth Day of *January* next after the passing of this Act, and on or before the Fifteenth Day of *January* of every succeeding Year, transmit to His Majesty's Advocate for *Scotland* a Return showing the Number of Persons committed to the several Gaols within the Jurisdiction of such Sheriff on Criminal Warrants of Detention till liberated in due Course of Law, in the Year ending on the Thirty-first Day of *December* immediately preceding; which Return shall show the Nature of the Crimes and the Result of the Commitments according to the Form contained in the Schedule annexed to this Act, but subject to such Alterations and Additions as may from Time to Time be ordered and required by One of His Majesty's Principal Secretaries of State; and His Majesty's Advocate for *Scotland* is hereby required to prepare from these Returns, under the same Heads, a General Return for *Scotland*, distinguishing each County, and on or before the First Day of *March* in each Year to cause the same to be transmitted to One of His Majesty's Principal Secretaries of State, to be laid before Parliament. Sheriffs to make Returns.

SCHEDULE referred to

A RETURN of the Number of PERSONS, distinguishing Males from Females, COMMITTED in the them to be detained till liberated in due Course of Law; showing

NATURE OF THE CRIME for which Persons were COMMITTED FOR TRIAL.	Number of Persons REMAINING UNTRIED from preceding Year.				Number of Persons COMMITTED for TRIAL.		Number of Persons LIBERATED without Trial, and without finding Bail to stand Trial, including those whose Obligation to stand Trial has been allowed to expire.		Number			
	In Gaol.		On Bail to stand Trial.						High Court of Justiciary.		Circuit Court of Justiciary.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
MURDER												
CULPABLE HOMICIDE												
ROBBERY												
RAPE												
WILFUL FIRE-RAISING												
FORGERY, and UTTERING FORGED DOCUMENTS												
THEFT												
THEFT, by HOUSEBREAKING												
ASSAULT												
OTHER OFFENCES on account of which Persons were committed for Trial, specifying the Nature thereof respectively:												
TOTALS												

in the foregoing Act.

Year to the several GAOLS in the County of under Warrants directing the Nature of the Crimes, and the Result of the Commitments.

of Persons TRIED, and before what Court.										Number of Persons CONVICTED, OUTLAWED, or ACQUITTED.								*continued on page 372.*
Sheriff.				Burgh Magistrates.		Justices or other Court.		TOTAL.		Convicted.		Outlawed.		Acquitted.		Found to be Insane.		
By a Jury.		Without a Jury.																
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	

SCHEDULE referred to in

A RETURN of the Number of PERSONS, distinguishing Males from Females, COMMITTED in the them to be detained till liberated in due Course of Law; showing the

continued from page 371.

Number of Persons UNTRIED.				SENTENCES of those CONVICTED, distinguishing the Number													
				Number sentenced to DEATH.								Number sentenced to TRANSPORTATION.					
In Gaol.		On Bail to stand Trial.		Total Number.		Number Executed.		Number Pardoned.		Number of Sentences Commuted.		Life.		Fourteen Years.		Seven Years.	
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.

the foregoing Act — *continued.*

Year to the several GAOLS in the County of under Warrants directing

Nature of the Crimes, and the Result of the Commitments — *continued.*

of those who, having received Sentence of Death, were EXECUTED.																OBSERVATIONS.
Number sentenced to IMPRISONMENT for								Other SENTENCES, describing their Nature.								
3 Months, and under.		6 Months, and above 3 Months.		12 Months, and above 6 Months.		Above One Year.										
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	

5 B

N. B.—When

SCHEDULE referred to in the foregoing Act — *continued.*

N. B.—When Persons are committed to a County or a Burgh Prison, and afterwards removed to Edinburgh or to a Circuit Town for Trial, they will be returned in the County where such Persons were confined previously to such Removal. In Cases where Persons have been convicted of a different Crime from that specified in the Warrant of Commitment, they will be placed in the Columns opposite to the Offence of which they have been convicted, and not opposite to that for which they may have been committed. Persons whose Sentences have been commuted will be distinguished from those unconditionally pardoned, and the Grounds for every unconditional Pardon, so far as known, will be mentioned in the Column of Observations.

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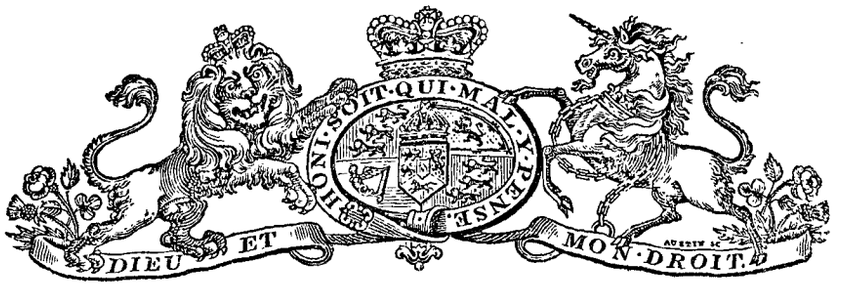

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXVIII.

An Act to continue and amend the Laws for the Relief of Insolvent Debtors in *England*.

[16th *July* 1830.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act to amend and consolidate the Laws for the Relief of Insolvent Debtors in* England; and it is expedient to continue the said Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby continued. 7 G. 4. c. 57. Recited Act continued.

II. And be it further enacted, That all Provisions in the said Act contained, concerning the Removal of Assignees and the Appointment of new Assignees, and concerning Assignees Accounts, and concerning the Amount of Debts, and Claims to receive Dividends, and the ascertaining thereof, and concerning all Matters to be done and observed, when it may appear to the Court for Relief of Insolvent Debtors in any Case that all Debts have been discharged, and concerning the Proof or Evidence of Conveyances and Assignments, and of all Proceedings had or being of Record in the said Court, shall be deemed to extend to the Cases of all Persons who petitioned under the several Acts recited in the said Act, as well as of Persons petitioning under the said Act. Certain Provisions in recited Acts to extend to all Persons petitioning.

III. And

Warrants of Attorney executed by Prisoners under Acts for their Relief declared not to be within 3 G. 4. c. 39.

III. And whereas Doubts have arisen whether Warrants of Attorney, executed by Insolvent Debtors before Adjudication made in the Matters of their Petitions pursuant to the several Acts passed for their Relief, are to be deemed secret Warrants of Attorney within the Meaning and Provisions of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds on Creditors by secret Warrants of Attorney to confess Judgment;* it is hereby declared and enacted, That such Warrants of Attorney, executed and to be executed as aforesaid, are not within the Meaning and Provisions of the said last-mentioned Act; and that the same have been, are, and shall be valid and effectual, any thing in the said last-mentioned Act, or in any Act extending the Provisions thereof, notwithstanding.

Adjudication may be made conditional in certain Cases.

IV. And whereas it is for the Benefit of Prisoners petitioning the said Court, and especially of those whose Cases may be heard before a Commissioner on Circuit, or before Justices of the Peace at their Quarter Sessions in *Wales* or the Town of *Berwick-upon-Tweed*, where it may appear in the Case of any such Prisoner, on the Hearing, that the Proof of Notice to Creditors is imperfect, or that any other Matter or Thing ought to be done by or on behalf of such Prisoner before he or she is actually discharged from Custody, that nevertheless Adjudication should be made conditional upon such Matter or Thing being performed, and that the Hearing of such Case should stand adjourned only on Failure therein: And whereas Doubts have arisen as to the Competency of proceeding in manner above mentioned; it is hereby declared and enacted, That where it shall appear to the said Court, Commissioner, or Justices, at the Hearing of the Matters of the Petition of any such Prisoner, that certain Matters or Things ought to be performed by or on behalf of such Prisoner, before he or she is entitled to be actually discharged from Custody, but that nevertheless it is expedient not to adjourn the Hearing of such Case absolutely to some future Occasion without the Opportunity of such Discharge being sooner had by doing such Things as aforesaid, it shall and may be lawful for the said Court, Commissioner, or Justices, to pronounce Adjudication, without then issuing the Order and Warrant pursuant thereto, and that such Adjudication may be directed to be conditional on the Performance of such Matters or Things as aforesaid, and that on the Non-performance thereof the Hearing of such Case shall stand adjourned according to the Direction made in that Behalf; and that all Proceedings heretofore had in manner aforesaid, in the Matters of the Petitions of any Prisoners petitioning the said Court, under any Act or Acts for the Relief of Insolvent Debtors, shall be deemed good and valid to all Intents and Purposes.

Court may direct Conveyance by Provisional Assignee where no Assignee is appointed.

V. And whereas it may often happen that some Interest in Lands and Tenements may become vested in the Provisional Assignee of the said Court, which appears to be of no Value to Creditors, but nevertheless it may be reasonable and expedient that the said Provisional Assignee should make or join in making some Conveyance or Assignment of the same, and that the same should be done without the Expence attending Advertisements and Meetings of Creditors as

prescribed by the said first-mentioned Act in certain Cases; be it therefore enacted, That it shall and may be lawful for the said Court, at any Time after the Day gazetted for the Hearing of the Matters of the Petition of any Insolvent Debtor, if no Creditor shall have become Assignee of his or her Estate and Effects, and if it shall appear fit, upon such Notice given by Advertisement or otherwise to the Creditors or any of them as the said Court shall in any Case direct, to order the said Provisional Assignee to make or join in making any Conveyance or Assignment of any such Interest as to the said Court may appear just and reasonable, without observing the Provisions of the said first-mentioned Act as to the Sale of Real Property by the Provisional or other Assignees of the Estates of Insolvent Debtors.

Assignments made by Provisional Assignee declared valid.

VI. And it is further declared and enacted, That all Assignments and Conveyances heretofore made or to be made by such Provisional Assignee in any such Cases, by Order of the said Court, shall be and the same are hereby declared to be good and valid to all Intents and Purposes; any thing in the said first-mentioned Act or in any other Act to the contrary notwithstanding.

Assignments by Provisional Assignee to be in the Form annexed to this Act.

VII. And whereas it is expedient to prescribe a Form of Conveyance and Assignment from the Provisional Assignee to any other Assignee or Assignees when appointed by the said Court, and also to remove any Doubts as to the Validity or Effect of any Conveyances or Assignments at any Time heretofore made and executed by the said Provisional Assignee by virtue of any Order of the said Court; be it therefore declared and enacted, That every Conveyance and Assignment hereafter to be made and executed by the Provisional Assignee for the Time being to any other Assignee or Assignees, by virtue of any Order of the said Court, shall be in such Form as is to this Act annexed; and that every such Conveyance and Assignment, and also every Conveyance and Assignment at any Time heretofore made and executed by the Provisional Assignee for the Time being, in obedience to any Order of the Court for Relief of Insolvent Debtors, shall be deemed and taken to be valid and effectual to all Intents and Purposes whatever, and fully and effectually to vest and to have vested all and every Estate and Estates, Real and Personal, and all and every Right, Title, Interest, and Trust in and to the same, of what Nature or Kind soever, to which the Insolvent Debtor in each Case respectively shall or may be or shall or may have been entitled in any Manner or by any Means whatsoever, or which such Insolvent Debtor shall or may be or shall or may have been required by Law to convey and assign in Trust for his or her Creditors.

In case of Illness of a Commissioner, another Person may be appointed to execute the Duties.

VIII. And whereas it may happen that the Chief or other Commissioner for the Relief of Insolvent Debtors may, by Illness or other reasonable Cause, be for a Time disabled from performing his Duties, whereby the Business of the said Court would be delayed: And whereas if such Disability should occur to any such Commissioner proceeding on his Circuit, the Suitors of the said Court would be much prejudiced, unless some Person should be authorized forthwith to undertake the Duties of the said Chief or other Commissioner

missioner on his Circuit; be it therefore further enacted, That if such Disability as aforesaid shall occur to such Chief or other Commissioner at any Time, not being the Time of his Circuit, it shall be lawful for any fit Person, being a Barrister at Law, and appointed by One of His Majesty's Principal Secretaries of State, to execute the Duties of such Chief or other Commissioner during such Disability; and that if such Disability shall occur during the Time appointed for the Circuit of such Chief or other Commissioner, it shall be lawful for any fit Person, being a Barrister at Law, and nominated by such Chief or other Commissioner, to execute the Duties of such Chief or other Commissioner on such Circuit as aforesaid during such Disability; and that all Things done according to the Provisions of this Act and of the said Act hereby continued, by such Person so appointed or nominated as aforesaid, as the Case may be, during such Disability as aforesaid, shall be good and valid to all Intents and Purposes as if the same had been done by such Chief or other Commissioner: Provided always, that such Chief or other Commissioner, if such Disability as aforesaid shall occur during the Time appointed for his Circuit, shall forthwith state the same, together with the Cause thereof, and such Nomination as aforesaid, in Writing, and shall subscribe such Statement, and shall send the same forthwith by His Majesty's Post to One of His Majesty's Principal Secretaries of State.

Act may be altered.

IX. And be it further enacted, That this Act or any Part thereof may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Prohibiting Persons from being discharged under 32 G. 2. c. 28.

X. And be it further enacted, That during the Continuance of this Act no Person shall be entitled to be discharged as an Insolvent Debtor, on his or her own Petition or Application, under or by virtue of the Statute passed in the Thirty-second Year of the Reign of King *George* the Second, commonly called "The Lords Act," or of any other Statute since passed for extending or continuing the same.

Continuance of Act.

XI. And be it further enacted, That the said recited Act and this Act shall be and the same are hereby continued for Two Years, and from thence to the End of the then next Session of Parliament.

SCHE-

SCHEDULE to which this Act refers.

Form of Conveyance and Assignment by the Provisional Assignee.

THIS Indenture, made the Day of in the Year of our Lord between Provisional Assignee of the Estate and Effects of Insolvent Debtors in England, of the one Part, and of the other Part, Whereas by Indenture bearing Date the Day of between an Insolvent Debtor, then a Prisoner in the of the one Part, and the said such Provisional Assignee as aforesaid, of the other Part, all the Estate, Right, Title, Interest, and Trust of the said Insolvent Debtor in and to all the Real and Personal Estate and Effects of the said Insolvent Debtor, in Possession, Reversion, Remainder, or Expectancy, except the Wearing Apparel and other such Necessaries of the said Insolvent Debtor and Family not exceeding in the whole the Value of Twenty Pounds, were, among other Things, conveyed and assigned to the said as such Provisional Assignee as aforesaid, his Successors and Assigns: Now this Indenture witnesseth, that in obedience to an Order of the Court for Relief of Insolvent Debtors, he the said at the Request and with the Consent of the said testified by sealing and delivering these Presents, hath conveyed, assigned, transferred, and set over, and by these Presents doth convey, assign, transfer, and set over, unto the said his Heirs, Executors, Administrators, and Assigns, all the Estate, Right, Title, Interest, and Trust of, in, and to all the Real and Personal Estate and Effects whatsoever and wheresoever, and of what Nature or Kind soever, present and future, which by virtue of the said herein-before in part recited Indenture now are in any way vested in the said as such Provisional Assignee as aforesaid, together with their and every of their Rights, Members, and Appurtenances; to have and to hold, receive and take, all and every the said Estate, Effects, and Premises, and every Part thereof, conveyed, assigned, transferred, and set over, or mentioned or intended to be hereby conveyed, assigned, transferred, or set over, with their and every of their Rights, Members, and Appurtenances, unto the said his Heirs, Executors, Administrators, and Assigns, according to the respective Natures, Properties, and Tenures thereof; in Trust nevertheless for the Use, Benefit, and Advantage of the Creditors of the said Insolvent Debtor who shall be entitled to share in a Dividend of the said Estate and Effects, and to and for such other Uses, Intents, and Purposes, and in such Manner and Form, as are in and by the said Indenture expressed of and concerning the same,

and to and for no other Use, Intent, or Purpose whatsoever. In witness whereof the said Parties have hereunto set their Hands and Seals, the Day and Year first above written.

Signed, sealed, and delivered by the said
in the Presence of }

Signed, sealed, and delivered by the said
in the Presence of }

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXXIX.

An Act to amend an Act passed in the Fifth Year of His present Majesty, for the Transportation of Offenders from *Great Britain*; and for punishing Offences committed by Transports kept to labour in the Colonies. [16th *July* 1830.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for the Transportation of Offenders from* Great Britain, it is amongst other Things enacted, that it shall be lawful for His Majesty, by and with the Advice of His Privy Council, from Time to Time to appoint any Place or Places beyond the Seas, either within or without His Majesty's Dominions, to which Felons and other Offenders under Sentence or Order of Transportation or Banishment shall be conveyed; and that when any Offenders shall be about to be transported or banished from *Great Britain*, One of His Majesty's Principal Secretaries of State shall give Orders for their Removal to the Ship to be employed for their Transportation, and shall authorize and empower some Person to make a Contract for their effectual Transportation to some of the Places so appointed, and shall direct Security to be given for their effectual Transportation, in the Manner therein-after mentioned; and it is thereby further enacted, that whenever 5 G. 4. c. 84.

ever the Transportation of any such Offender shall take place in any Ship belonging to His Majesty, it shall be lawful for One of the Principal Secretaries of State, by Warrant under his Hand, to nominate some Person or Persons who shall have the Custody of such Offender during the Voyage, and thereupon such Offender may be delivered to such Nominee or Nominees without any Contract or Security being required or given for the effectual Transportation of such Offender; and it is thereby further enacted, that so soon as any such Offender shall be delivered to the Governor of the Colony, or other Person or Persons to whom the Contractor or such Nominee or Nominees as aforesaid shall be so directed to deliver him or her, the Property in the Service of such Offender shall be vested in the Governor of the Colony for the Time being, or in such other Person or Persons as aforesaid: And whereas divers Felons and other Offenders have heretofore been transported from *Great Britain* to His Majesty's Colonies of *South Wales* and *Van Diemen's Land* respectively, and in pursuance of the Directions of One of the Principal Secretaries of State have been delivered to the Governors of those respective Colonies, or other Persons in those Colonies to whom such respective Contractors or Nominees as aforesaid have been so directed to deliver them; but from divers unforeseen Causes it hath occurred that some of such Offenders have been landed and put on Shore and delivered at one of the before-mentioned Colonies, who ought, according to such Directions as aforesaid, to have been landed and put on Shore and delivered at the other of the before-mentioned Colonies: And whereas under the Licences of the Governors of the said respective Colonies divers Offenders who had been transported as aforesaid have from Time to Time been removed from the one to the other of the said Colonies: And whereas Doubts have arisen whether Offenders who have been so landed, put on Shore, and delivered or removed as aforesaid, can, within the respective Colonies in which they are now respectively resident, be lawfully dealt with in such and the same Manner as if they were respectively resident within the Colony to which they were originally sentenced or ordered to be transported: Be it therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Felons and other Offenders who have heretofore been transported from *Great Britain* to *New South Wales* or to *Van Diemen's Land*, or to their respective Dependencies, and who, having been contracted or ordered to be landed and put on Shore and delivered in one of those Colonies, have in fact been landed and put on Shore and delivered at the other of those Colonies, and that all such Felons and other Offenders who, under the Licence or by the Order or with the Consent of the Governor or of the Officer administering the Government of either of the said Colonies, have been removed from the one to the other of such Colonies, shall within the Colony in which they are respectively now resident be subject and liable to all such and the same Laws, Rules, and Regulations as if they had been contracted or ordered on their original Transportation to be delivered to the Governor or the Officer

Felons ordered to be put on Shore in the one Colony, but put on Shore in the other, and those removed from one Colony to the other, subject to the same Rules as other Convicts in the same Colony.

administering the Government of such Colony, and shall within the Colony in which they are respectively now resident be dealt with, governed, and disposed of in all respects in such and the same Manner as other Convicts within the same Colony; and that the Property in the Service of all such Offenders shall be vested in the Governor or Officer administering the Government of the Colony in which they are actually resident, in the same Manner, and subject to all such and the same Rules and Conditions, as if they had been contracted or ordered on their original Transportation to be delivered to him.

Governor of the one Colony may receive Felons who are ordered to be delivered in the other Colony.

II. And be it further enacted, That in any Case in which a Ship conveying Felons or other Offenders from the United Kingdom of *Great Britain* and *Ireland*, the Master of which has entered into a Contract or been ordered to deliver such Felons or other Offenders at the Colony or Place specified in such Contract or Order, shall, by Stress of Weather or other Circumstances, convey such Felons or other Offenders to any other Colony or Place to which such Offenders may legally be transported or banished, the Governor or Officer administering the Government of such other Colony or Place is hereby authorized, if he shall deem it expedient, to receive and retain such Felons or other Offenders in the said Colony or Place; and the said Felons or other Offenders shall be subject and liable to all such and the same Laws, Rules, and Regulations as if they had been contracted or ordered on their original Transportation to be delivered to him.

Governor of one Colony may remove Felons to the other Colony.

III. And be it further enacted and declared, That it shall be lawful for the Governor or the Officer administering the Government of either of the said Colonies, with the Concurrence of the Governor or Officer administering the Government of the other of the said Colonies, by an Order in Writing under his Hand, to authorize the Removal of any such Convicts as aforesaid from the Colony under his Government to the other of the said Colonies, and for that Purpose to deliver any such Convicts into the Charge of the Master of any Ship or any other proper Person proceeding directly to the Colony to which such Removal is to be made, and to contract with such Master or other Person for the effectual Removal of such Convicts to such other Colony, and to take Security by Bond to His Majesty that he will effectually remove or cause to be removed every Convict included in such Contract to the Colony to which it is proposed so to remove him, and procure from the Governor or Officer administering the Government of such Colony a Certificate of the landing of such Convict there (Death and Casualties by Sea excepted), and that such Convict shall not be suffered to escape from the Vessel in which he or she shall be so removed by the wilful Default of such Contractor or of any Person employed by him.

Convicts removed from one Colony to another

IV. And be it further enacted, That all and every the Laws in force for the Punishment of Misbehaviour or disorderly Conduct by any Offender on board of any Ship in which he or she may be transported

liable to Punishment for disorderly Conduct.

ported from *Great Britain*, shall apply and extend and are hereby extended to every Convict who by virtue of any such Order as aforesaid shall be removed from either of the said Colonies to the other of them.

Convicts removed from one Colony to another to be subject to the Regulations of the Colony to which removed.

V. And be it further enacted, That so soon as any such Convict shall be delivered to the Governor or to the Officer administering the Government of the Colony to which he or she shall be so removed, such Convict shall within such Colony be subject and liable to all such and the same Laws, Rules, and Regulations as if he or she had been contracted or ordered on his or her original Transportation to be delivered to the Governor or the Officer administering the Government of such Colony, and shall be there dealt with, governed, and disposed of in all respects in such and the same Manner as other Convicts within the same Colony; and that the Property in the Service of every such Convict shall be vested in the Governor or Officer administering the Government of the Colony to which he or she may be so removed, in the same Manner, and subject to all such and the same Rules and Conditions, as if he or she had been contracted or ordered on his or her original Transportation to be delivered to such Governor or Officer as aforesaid.

For prohibiting the Supply of Spirituous Liquors to Offenders under Sentence of Transportation.

VI. And be it further enacted, That if any Person, in contravention of the existing Rules and Regulations for the Government of any Place of Confinement for Male Offenders under Sentence or Order of Transportation within *England* or *Wales*, or in any Part of His Majesty's Dominions out of *England*, shall carry or bring, or attempt or endeavour to carry or bring, into any such Place of Confinement as aforesaid, or shall supply or cause to be supplied to any Offender there confined as an Offender, any spirituous or fermented Liquors, it shall be lawful for any Overseer or other Officer belonging to such Place of Confinement to apprehend or cause to be apprehended such Person, and to carry such Person before a Justice of the Peace (who is hereby empowered to hear and determine such Offence in a summary Way), and if he shall lawfully convict such Person of such Offence, he shall forthwith commit such Person to the Common Gaol or House of Correction of the Place where the same shall be heard and determined, there to be kept in Custody for any Time not exceeding Three Months, without Bail or Mainprize, unless such Person shall immediately pay down such Sum of Money, not exceeding Twenty Pounds and not less than Ten Pounds, as the said Justice shall impose upon such Person, one Moiety thereof to be paid to the Informer, and the other Moiety to be paid and made applicable to the Maintenance of the Place employed for the Confinement of Offenders under Sentence of Transportation as aforesaid.

Manner of proceeding in Cases of Extension

VII. And be it further enacted, That from and after the Commencement of this Act, when any Person shall be convicted at any Session of Oyer and Terminer or Gaol Delivery, or at any Quarter or other

other General Session of the Peace, to be holden for any County, Riding, Division, City, Borough, Liberty, or Place within that Part of *Great Britain* called *England*, or at any Great Session to be holden for the County Palatine of *Chester*, or within the Principality of *Wales*, of any Crime punishable by Death, if His Majesty shall be pleased to extend Mercy to any such Offender upon Condition of Imprisonment, or upon Condition of Imprisonment with hard Labour, and such Intention of Mercy shall be signified by One of His Majesty's Principal Secretaries of State to the Court before whom such Offender hath been or shall be convicted, or any subsequent Court, with the like Authority, such Court shall allow to such Offender the Benefit of a conditional Pardon, and make an Order for the Imprisonment of such Offender, with or without hard Labour, as the Case may be; and in case such Intention of Mercy shall be so signified to the Judge or Justice before whom such Offender hath been or shall be convicted, or to any Judge of His Majesty's Court of King's Bench or Common Pleas, or to any Baron of the Exchequer of the Degree of the Coif, in *England*, such Judge, Justice, or Baron shall allow to such Offender the Benefit of a conditional Pardon, and make an Order for such Imprisonment of such Offender, in the same Manner as if such Intention of Mercy had been signified to the Court during the Term or Session in or at which such Offender was convicted, and such Allowance and Order shall be considered as an Allowance and Order made by the Court before which such Offender was convicted, and shall be entered on the Records of the same Court by the proper Officer thereof, and shall be as effectual to all Intents and Purposes, and have the same Consequences, as if such Allowance and Order had been made by the same Court during the Continuance thereof; and every such Order shall subject the Offender to be so imprisoned.

of Mercy to Offenders convicted of Capital Offences.

VIII. And whereas by the aforesaid Act of the Fifth Year of His Majesty's Reign Power is given to His Majesty to appoint a Superintendent of Places of Confinement within *England* and *Wales*, and Power also to appoint One fit and able Person to be Assistant or Deputy of such Superintendent, at One or more of the same Places of Confinement; and by the said Act Power is also given to remove Male Offenders convicted in *Great Britain*, and being under Sentence or Order of Transportation, and to confine such Offenders at Land or on board any Vessel to be provided by His Majesty within the Limits of any Port or Harbour in any Part of His Majesty's Dominions out of *England* named in any Order in Council, under the Management of the said Superintendent, and of an Overseer to be appointed by His Majesty for each such Vessel or other Place of Confinement: And whereas it is expedient that Power should be given to His Majesty to appoint an Assistant or Deputy to the said Superintendent, in any such Part of His Majesty's Dominions out of *England;* be it therefore enacted, That it shall be lawful for His Majesty, in case it shall be deemed expedient, to appoint a fit and able Person to be Assistant or Deputy to such Superintendent, at any such Place of

Power to appoint an Assistant or Deputy to the Superintendent at Places of Confinement out of England.

Confinement out of *England* named in any Order in Council as aforesaid, to be constantly resident at or near the Place to which he shall be appointed.

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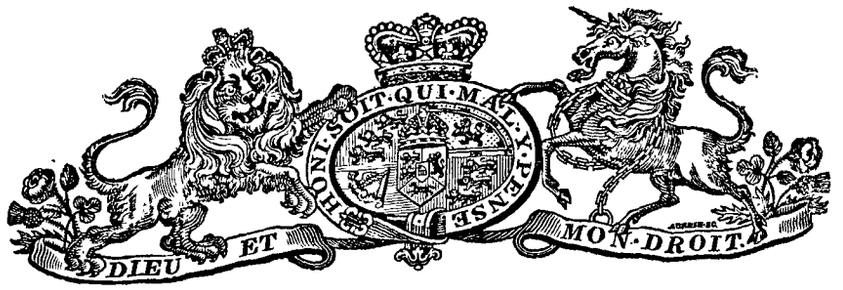

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XL.

An Act for making better Provision for the Disposal of the undisposed of Residues of the Effects of Testators. [16th *July* 1830.]

WHEREAS Testators by their Wills frequently appoint Executors, without making any express Disposition of the Residue of their Personal Estate: And whereas Executors so appointed become by Law entitled to the whole Residue of such Personal Estate; and Courts of Equity have so far followed the Law as to hold such Executors to be entitled to retain such Residue for their own Use, unless it appears to have been their Testator's Intention to exclude them from the beneficial Interest therein, in which Case they are held to be Trustees for the Person or Persons (if any) who would be entitled to such Estate under the Statute of Distributions, if the Testator has died Intestate: And whereas it is desirable that the Law should be extended in that respect; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That when any Person shall die, after the First Day of *September* next after the passing of this Act, having by his or her Will, or any Codicil or Codicils thereto, appointed any Person or Persons to be his or her Executor or Executors, such Executor or Executors shall be deemed by Courts of Equity to be a Trustee or Trustees for the Person

After 1st Sept. 1830 Executors deemed to be Trustees for Persons entitled to any Residue

under the Statute of Distributions, unless otherwise directed by Will.

Person or Persons (if any) who would be entitled to the Estate under the Statute of Distributions, in respect of any Residue not expressly disposed of, unless it shall appear by the Will, or any Codicil thereto, the Person or Persons so appointed Executor or Executors was or were intended to take such Residue beneficially.

Not to affect Rights of Executors where there is not any Person entitled to the Residue.

II. Provided also, and be it further enacted, That nothing herein contained shall affect or prejudice any Right to which any Executor, if this Act had not been passed, would have been entitled, in Cases where there is not any Person who would be entitled to the Testator's Estate under the Statute of Distributions, in respect of any Residue not expressly disposed of.

Not to extend to Scotland.

III. Provided always, and be it further enacted, That nothing herein contained shall extend to that Part of the United Kingdom called *Scotland*.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLI.

An Act to make further Regulations with respect to Army Pensions. [16th *July* 1830.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham: And whereas another Act was passed in the said Seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Fifty-second Year of the Reign of His late Majesty King* George *the Third, so far as the same relates to the Retired Allowances of Quartermasters of Cavalry and Infantry:* And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy:* And whereas it is expedient to make further Regulations with respect to Pensions; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham, as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to give to any Soldier, not being a Native

7 G. 4. c. 16.

7 G. 4. c. 31.

10 G. 4. c. 26.

Certain Parts of the Act of 7 G. 4. c. 16. repealed.

a Native of the United Kingdom, who may have been or may be discharged, and may be entitled to any Out-Pension or Allowance from the said Hospital at *Chelsea*, by reason of Service or having become invalid or disabled, and shall be desirous of living out of *England*, and who may be recommended for that Purpose by any Order of His Majesty, to be signified to the said Commissioners by His Majesty's Secretary at War, such Sum of Money in gross, in lieu of such annual Pension or Allowance, as may be directed by the Secretary at War, with the Approbation of the Commissioners of His Majesty's Treasury, in that Behalf, any thing contained in this or any other Act or Acts to the contrary notwithstanding; and also so much of the said Act as enacts that it shall and may be lawful for the said Commissioners of the said Hospital at *Chelsea*, upon all Applications to be hereafter made to them by any Person or Persons claiming on account of their Services in His Majesty's Army, to give Pensions to such Person or Persons, in their Discretion, according to their Length of Service, allowing in the Apportionment of such Pensions all such Time as the said Person or Persons shall have served (previously to his entering into His Majesty's Army) either as a Petty Officer, Seaman, or Landman in His Majesty's Fleet, or as a Non-commissioned Officer or Private Marine; and also so much of the said Act as enacts that it shall be lawful for the said Commissioners of the said Hospital at *Chelsea* to authorize the Agent for Pensions, or other proper Officer, to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Commissioners or of the said proper Officer, to be the next of Kin or legal Representative or otherwise legally entitled to any Pension Money due to any deceased Pensioner, not exceeding Twenty Pounds, although such Person shall not have taken out Letters of Administration or have procured Probate of any Will of such deceased Pensioner or Officer; and also so much of the said Act, intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy*, as declares that it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the Time being, in his and their Discretion, upon Applications to be hereafter made to him or them by any Person or Persons claiming Pensions on account of the Services of such Person or Persons in His Majesty's Navy, to allow in the Apportionment of such Pension so much of the Time as the said Person or Persons shall have served (previously to his or their entering into His Majesty's Navy) either as a Non-commissioned Officer or Private in His Majesty's Army; and also the whole of the said Act, intituled *An Act to amend an Act passed in the Fifty-second Year of the Reign of His late Majesty King* George *the Third, so far as the same relates to the Retired Allowances of Quartermasters of Cavalry and Infantry*, shall be and the same are hereby repealed.

10 G. 4. c. 26.

7 G. 4. c. 31.

Power to commute the annual Pension of Persons desirous of living out of Great Britain and Ireland.

II. And be it enacted, That the Lords and others, Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*, may and shall give to any Non-commissioned Officer or Soldier entitled to Out-Pension from the said Royal Hospital, who shall be desirous of living out of *Great Britain* and *Ireland*, and who shall be recommended for that Purpose by any Order of His Majesty, signified

to the said Commissioners by the Secretary at War, a Sum of Money not exceeding in Amount Four Years Pension, as a Commutation or Equivalent in gross for all annual Pension to which such Non-commissioned Officer or Soldier might otherwise be entitled; and the Money so to be paid as an Equivalent or Commutation for Pension shall be paid out of any Money voted for or applicable to the Payment of Pensions under the Management of the said Commissioners of *Chelsea* Hospital; and the Receipt of the Person receiving such Commutation or Equivalent, or other Proof of his having accepted an Equivalent or Commutation in gross in lieu of such annual Pension, shall be a full Discharge for the Sum so paid, and shall be a Release and Abandonment of all Claims to any future or other Payment of Pension whatsoever.

How Commutation Money to be paid.

All Claim for annual Pension to cease after Commutation.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, for the Time being, in his or their Discretion, with respect to the granting of Naval Pensions, to allow to any Non-commissioned Officer or Soldier who shall have entered into the Royal Marines his previous Service as a Non-commissioned Officer or Soldier in His Majesty's Army, in reckoning his Claim for Naval Pension, and also to allow to any Non-commissioned Officer, Petty Officer, or Seaman of His Majesty's Navy his previous Service as a Marine, in reckoning his Claim for Pension; and it shall be lawful for the said Commissioners of *Chelsea* Hospital, in their Discretion, with respect to the granting of Army Pensions, to allow to any Non-commissioned Officer or Soldier of His Majesty's Army his previous Service as a Marine, in reckoning his Claim for Pension; provided that such previous Service, and the Cause of Discharge from such Service, shall be declared and verified and recorded at the Time the said Persons shall respectively enter into His Majesty's Army or Navy or Marines.

In granting Pensions to Seamen or Soldiers, Service as a Marine may in certain Cases be allowed to reckon.

IV. And be it enacted, That it shall be lawful for the said Commissioners of *Chelsea* Hospital, with the Consent of the Secretary at War, in all Cases in which it may be deemed expedient, to restore any Non-commissioned Officer or Soldier who shall have been convicted of Felony, and thereby forfeited his Pension, either to his original Pension or to any less Rate of Pension.

Persons convicted of Felony may be restored to Pension.

V. And be it further enacted, That it shall be lawful for the said Commissioners of the said Hospital at *Chelsea*, with respect to Pension or Prize Money, and for the Secretary at War of his own proper Authority, with respect to Pay, to authorize the Agent for Pensions, or other proper Officer charged with the Payment thereof, to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Commissioners, with respect to Pension and Prize Money, or of the Secretary at War, with respect to Pay, to be the next of Kin or legal Representative or otherwise legally entitled to any Pension or Prize Money or Pay due to any deceased Officer, Non-commissioned Officer, Soldier, or Pensioner, such Pension, Prize Money, or Pay, provided the same does not exceed Fifty Pounds, although the Person so entitled shall not

Sums not exceeding 50*l.* may be paid without Letters of Administration.

not have taken out Letters of Administration, or have procured Probate of any Will, of such deceased Officer, Non-commissioned Officer, Soldier, or Pensioner.

Repeal of the 7 G. 4. c. 31. not to revive any other Act.

VI. And be it enacted, That nothing in this Act contained shall revive or give Force or Effect to any Act or Parts of any Act which was or were repealed by the said herein-before last-recited and hereby repealed Act of the Seventh Year of His late Majesty.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLII.

An Act to consolidate and amend the several Acts relating to the Office of Treasurer of His Majesty's Navy. [16th *July* 1830.]

WHEREAS it is become expedient to revise, amend, and reduce into One Act the Laws relating to the Office of Treasurer of His Majesty's Navy; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of *December* One thousand eight hundred and thirty, an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better regulating the Office of the Treasurer of His Majesty's Navy;* and also an Act passed in the Forty-seventh Year of His said late Majesty, intituled *An Act for the further regulating the Office of Treasurer of His Majesty's Navy;* and also an Act passed in the Forty-eighth Year of His said late Majesty, intituled *An Act to amend an Act of the Twenty-fifth Year of His present Majesty, for better regulating the Office of the Treasurer of His Majesty's Navy;* and also an Act passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act of the Twenty-fifth Year of the Reign of His present Majesty, for better regulating the Office of Treasurer of His Majesty's Navy, as far as respects the Mode of Applications for certain Services in the Victualling Department;* and also an Act of the First and Second Years of the Reign of

Repeal of the following Acts; viz.

25 G. 3. c. 31.

47 G. 3. c. 56.

48 G. 3. c. 8.

57 G. 3. c. 112.

1 & 2 G. 4. c. 74.

of His late Majesty King *George* the Fourth, intituled *An Act to repeal an Act passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for regulating Payments to the Treasurer of the Navy, under the Heads of Old Stores and Imprests, and to make other Provisions in lieu thereof;* shall be, and the same are hereby repealed: Provided always nevertheless, that all Acts, Matters, and Things done previously to the Commencement of this Act, in pursuance of any of the said Acts hereby repealed, shall be good, valid, and effectual; and all Offences committed before the passing of this Act, against the Provisions of the said Acts so repealed, shall be cognizable and punishable under the same, as if they had not been repealed; and provided also, that the Repeal of the said Acts shall not extend to revive the Provisions of any Acts which were altered or repealed by any of the said Acts so hereby repealed.

Manner of proceeding when the Treasurer of the Navy requires Money for the Services of the Navy and Victualling Departments.

II. And be it further enacted, That from and after the said Thirty-first Day of *December*, the Treasurer of His Majesty's Navy for the Time being, in all Memorials to be by him presented to the Treasury for Money for the Services of the Navy and Victualling Departments, which Money is to be solicited by the Navy Board, shall pray that the requisite Amount may be issued to the Governor and Company of the Bank of *England* on his Account, and shall transmit with each Memorial a Copy of the Letter or Letters of the Commissioners of the Navy requiring him to apply for the same; and in such Letters the said Commissioners shall and they are hereby required to specify the Amount of the Balances then remaining in the Hands of the said Treasurer on account of the respective Services; and the Commissioners of His Majesty's Treasury for the Time being, by their Letter from Time to Time, shall direct the Auditor of the Exchequer to issue to the Governor and Company of the Bank of *England*, on account of the Treasurer of His Majesty's Navy, naming such Treasurer for the Time being, the Sum for which such Letter shall be drawn upon the unsatisfied Order at the Exchequer in favour of the said Treasurer, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all Sums for which Letters of the Commissioners of the Treasury shall be drawn shall be issued to the said Governor and Company in like Manner as heretofore, and shall be placed on Accounts to be raised in the Books of the said Governor and Company, which shall be entitled respectively "The Account "of the Treasurer of His Majesty's Navy," (specifying the Name of such Treasurer for the Time being,) for Navy Services and for Victualling Services; and on the Receipt of all such Monies from the Exchequer, the Treasurer of the Navy shall immediately certify to the Commissioners of the Navy, for the Information of the respective Departments, an Account of the particular Sums received on account of and applicable to each respective Service; and no Monies shall be issued from the Exchequer to the Treasurer of the Navy in any other Manner than through the said Governor and Company as herein provided.

III. And be it further enacted, That the Treasurer of the Navy for the Time being, by himself or the Person or Persons duly authorized by him, shall draw upon the Governor and Company of the Bank of *England* for all Navy and Victualling Services whatever, and shall specify or distinguish in each Draft on account of which Service the same is drawn; and no Draft of the said Treasurer, or of any Person authorized by him, shall be deemed a sufficient Voucher to the said Governor and Company unless the same shall so distinguish the Service on account of which it is so drawn, and shall have been actually paid by the said Governor and Company; nor shall any Monies standing in the Name of the Treasurer of the Navy in the Bank of *England* be paid out of the same, except upon or in pursuance of Drafts on account of Navy or Victualling Services, to be drawn in manner aforesaid.

Treasurer of the Navy to draw on the Bank, and specify the Service for which the same is drawn.

IV. Provided always, and be it enacted and declared, That neither the Treasurer of the Navy, nor any Person authorized by him as aforesaid, shall draw upon the said Governor and Company for any Monies, unless the same shall be intended for immediate Application to Navy or Victualling Services; and if any Monies so drawn for shall not be immediately so applied, it shall not be lawful for the Treasurer of the Navy, or any Person acting under his Authority, to place or deposit the same or any Part thereof in the Hands of any other whomsoever except the Person or Persons who shall be usually and according to the Course of the Navy Pay Office actually employed in the Payment of such Money to the Persons legally entitled to demand and receive the same; and any Treasurer of the Navy or other Person or Persons offending against this Enactment shall, on being thereof convicted in due Course of Law, be rendered incapable of thereafter holding any Civil Office or Employment under His Majesty, His Heirs or Successors.

Treasurer not to draw for more than is immediately wanted; nor to deposit any Money in the Hands of any other than the usual Person.

V. And be it further enacted, That upon the Death, Resignation, or Removal of any Treasurer of His Majesty's Navy, the Balance of Cash for which such Treasurer shall then have Credit on his Accounts with the Governor and Company of the Bank of *England* shall, as soon as conveniently may be, and at furthest within Thirty Days after the Appointment of his Successor, actually vest in such Successor, in Trust for the Service of the Navy and Victualling Departments respectively, and be forthwith transferred and placed to the Accounts of such Successor, Treasurer of His Majesty's Navy, to be applied to such Services, in pursuance of the like Drafts as aforesaid; and on every such Occasion the Accounts of the several Pay Clerks at the Out-ports shall at the same Time be made up, and the Balances in Cash in their Hands shall be carried to the Account of such Successor, and an Account thereof shall be forthwith transmitted to the Commissioners of the Navy and Victualling so far as respects each Service; and the Treasurer of the Navy for the Time being shall and he is hereby required to form his Memorials and Requisitions to the Treasury, and to issue his Drafts as aforesaid for all Charges and Demands on account of the Navy and Victualling Services which shall remain unsatisfied, although the same may have accrued in the Time of any former Treasurer.

On the Death or Removal of Treasurer, the Balance to vest in his Successor.

VI. And

Treasurer to make up annual Accounts of Navy and Victualling Services.

VI. And be it further enacted, That the Treasurer of the Navy shall make up or cause to be made up an annual Account of the Navy and Victualling Services, entitled "The Account of the Treasurer of His Majesty's Navy," to be signed and attested by every Treasurer who shall have paid or discharged any Part of the said Account, every such Account to begin on the First Day of *January* and to end on the Thirty-first Day of *December* in each Year; and after such Account shall have been examined in the Offices of the Commissioners of the Navy and Victualling, and signed by such Commissioners so far as shall relate to each Service, the same shall be transmitted by the Commissioners of the Navy to the Commissioners for auditing the Public Accounts, who are hereby required, within Three Months after the Receipt thereof, to cause the same to be examined, and, if found satisfactory, to cause the same to be presented to the proper Officer or Officers for Declaration; and when the same shall be declared, a Discharge or Acquittance in the usual Form shall be made to the said Treasurer or Treasurers, and to their respective Heirs, Executors, and Administrators.

All Payments made in the Course of the Year to be inserted in the annual Accounts.

VII. And be it further enacted, That in each such annual Account shall be inserted all Payments which shall have been made by any such Treasurer in the Course of that Year; and that all Bills, Warrants, and Orders, which shall have been drawn or made by the said Commissioners for Navy or Victualling Services, shall be sufficient Vouchers to discharge the said Treasurer of any Sums paid by him upon any such Instruments; and that when Credit shall be taken by the said Treasurer in any such annual Account for any Payments made in pursuance of Imprest Bills, or on Account, no further Bills shall in any subsequent Period be drawn upon the Treasurer of the Navy for the Time being for the Purpose of clearing the said Imprests, but the Persons to whom the Payments shall have been so made shall be made accountable for the same, and the Treasurer of the Navy shall be no longer chargeable or accountable in respect thereof.

Treasurer to keep an Account with the Bank.

VIII. And be it further enacted, That the Treasurer of His Majesty's Navy for the Time being shall keep an Account with the Bank of all Monies issued to or directed to be paid to him for Navy and Victualling Services; and the said Treasurer, observing the Rules and Regulations hereby prescribed, shall not be answerable for any Money which he shall not actually receive; and the Governor and Company of the Bank of *England* shall be answerable for all the Monies which shall be actually received by them for Navy and Victualling Services.

Not to prevent the Treasurer from issuing Money to Pay Clerks at the Out-ports.

IX. Provided always, and be it enacted, That this Act shall not extend to prevent the Treasurer of the Navy from issuing, at any Time after the passing of this Act, to the Pay Clerks of the said Treasurer at the several Out-ports, such Sums as may be considered necessary by the Navy Board for making Payment of Wages, and of the Establishments of the Dock Yards, and for other Naval Services; and the Pay Clerk at each Port is hereby required to make up, at the End of every Month, an Account of all his Receipts and Payments

Pay Clerks Accounts.

Payments during that Month at least, which Account shall from henceforth be signed by such Pay Clerk, and by One or more, as shall be deemed requisite, of the Clerks of the Commissioners of the Navy at each Port; and the same, together with the Balance of Public Monies remaining in such Pay Clerk's Hands, shall also be certified by the resident Commissioner of the Navy, and then shall be transmitted by such Pay Clerk, within Seven Days after the Expiration of each Month, to the Treasurer of the Navy, and a Duplicate thereof to the Commissioners of the Navy; and the resident Commissioner at each Out-port shall also transmit to the Navy Board, at the End of every Week, an Account of the Payments made at such Port by the Treasurer's Clerk during that Week.

Treasurer, &c. authorized to receive all Monies tendered on account of Navy and Victualling Services; and to pay the same into the Bank.

X. Provided always, and be it further enacted, That it shall be lawful for the Treasurer of the Navy for the Time being, and his Cashiers or other Persons authorized or deputed by him, to receive all Sums of Money that shall or may be tendered to them on account of Navy and Victualling Services, save and except such Sums as shall be issued from the Exchequer as aforesaid, or be paid by other Public Departments, not being Naval Departments; and all such Monies so to be received shall be and the same are hereby required to be paid into the Bank of *England*, on Two or more Days in each Week to be appointed for that Purpose, and the same when so paid in shall be placed by the Cashiers of the Bank to the Account of the Treasurer of His Majesty's Navy for Navy Services or for Victualling Services, as the Case may be, and shall be subject to the like Regulations and Restrictions as Monies issued from the Exchequer are hereby subject.

Navy and Victualling Commissioners may empower Clerks at the Yards to receive Monies for old Stores.

XI. And whereas it may frequently happen in Cases of the Sales of old Stores, that the Monies arising therefrom may be wanted at the Navy and Victualling Yards, or Places where such Sales are made, towards carrying on the Services of the respective Departments there; be it therefore enacted, That from and after the passing of this Act, it shall be lawful for the Commissioners of Navy and Victualling respectively to cause any Sums of Money arising from the Proceeds of Sales of old Stores, or from any other Public Source or Service, either to be paid over to the Treasurer of the Navy on account of the respective Departments, or to the Clerk of the said Treasurer resident at the Yard or Place where the Sale shall be made, or, if there shall be no such Clerk, to such Officer or Person as the said Treasurer shall authorize to receive the same, to be by such Clerk, Officer, or Person accounted for and applied for the Public Service in such Manner and under and subject to such Regulations and Directions as shall be from Time to Time notified to him by the said Treasurer for that Purpose.

Commissioners of Navy resident at Dock Yards to take Account annually of Monies in

XII. And be it further enacted, That on the First Day of *January* (or, that Day being *Sunday*, on the following Day) in every Year, the Commissioner of His Majesty's Navy resident at each of the Dock Yards or Out-ports at which there is a Clerk to the Treasurer of the Navy, shall and he is hereby required to inspect and take an Account of the Public Monies which shall remain in the Hands or

the Hands of Treasurer's Clerk, and certify the same to the Board in London.

Charge of such Clerk at the Close of the preceding Year, and shall certify the Amount thereof to the Commissioners of the Navy in *London*; and One of the Commissioners of the Navy and One of the Commissioners of the Victualling in *London* shall also and is hereby required, at the like Period, to inspect and take an Account of the Public Monies which have been issued to and shall actually remain chargeable to the several Cashiers in the Navy Pay Office for Navy and Victualling Services respectively, and shall certify the Amount thereof to the Commissioners of Navy and Victualling as far as respects each Service, in order to ascertain the Correctness of the said Balances, by comparing them with the Certificates or monthly Accounts for the current Month of *January* made up at the Navy Pay Office and transmitted to the Navy and Victualling Departments for Examination; and the said Commissioners of Navy and Victualling shall, within Three Months from the Commencement of each Year, make out and transmit Certificates of the Amount of the said Balances to the Auditors of Public Accounts, that it may be seen whether the same, together with the Balance in the Account of the Treasurer of the Navy at the Bank, shall correspond with the whole Balance charged to the said Treasurer at the Close of the Account of the preceding Year.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLIII.

An Act to abolish certain Fees and Stamp Duties chargeable on the Renewal of all Appointments, Commissions, Grants, Pensions, and Patents consequent on the Demise of the Crown.

[16th *July* 1830.]

WHEREAS it is expedient that such Persons who did at the Demise of His late Majesty, or shall at the Demise of His present Majesty (whom God long preserve), or of any of His Successors, possess or enjoy any Office, Employment, Pension, Rank, or Precedence granted during the Pleasure of the Crown, and who has been or shall be continued in the Possession or Enjoyment thereof, should be exempted, as herein-after provided, from the Payment of Fees and Stamp Duties in respect of the Re-appointment to any such Office, or the Re-grant of any such Pension, Rank, or Precedence; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person who at the Demise of His late Majesty, or of His present Majesty (whom God long preserve), or of any of His Successors, has possessed or enjoyed, or shall possess or enjoy, any Office, Employment, Pension, Rank, or Precedence granted, during the Pleasure of the Crown, by any Letters Patent, Commission, Warrant, or other Instrument, and shall be continued in the Enjoyment of and be re-appointed to such Office or Employment, or obtain a Re-grant of such Pension, Rank, or Precedence, shall be exempted, except as herein-

Persons in possession of Office at the Demise of the Crown, and re-appointed thereto, exempted from Fees or Stamp Duties in respect thereof.

herein-after provided, from paying to His Majesty, or to any of His Majesty's Successors, or to any other Person or Persons whomsoever, any Fee or Stamp Duty in respect of such Re-appointment or Re-grant.

The Treasury to determine the Remuneration to be made for preparing Commissions, &c.

II. And whereas it is just and reasonable that the Persons whose Right and Duty it is or may be, by virtue of their respective Offices, to prepare, make out, settle, and attend to the passing of the usual Commissions, Letters Patent, Warrants, or other Instruments upon such Re-appointment and Re-grants as aforesaid, should receive a proper and adequate Remuneration for the Performance of such Duty; be it enacted, That the Commissioners of His Majesty's Treasury for the Time being shall in all such Cases fix and determine the Amount of such Remuneration; and that such Remuneration shall be paid by the Persons who would have been chargeable (if this Act had not passed) with the Fees payable upon such Re-appointment or Re-grants as aforesaid.

Saving of Rights.

III. Provided always, and be it further enacted, That nothing herein contained shall extend to deprive any Person, who at the Time of passing this Act shall or may be entitled to any Estate of Freehold in his Office, of any Fees or Emoluments to which he would have been by Law entitled if this Act had not passed; but that every such Person shall be entitled to claim and shall receive such Fees and Emoluments, and no other, upon every such Re-appointment and Re-grant, as if this Act had not passed; any thing herein contained to the contrary notwithstanding.

Commissions for taking Affidavits or Recognizances of Bail to continue in force.

IV. And be it further enacted, That all Commissions heretofore granted or hereafter to be granted for the taking of Affidavits to be made use of and read in any Court, or for the taking Recognizances of Bail, shall, notwithstanding any Demise of the Crown, remain and continue in force during the Pleasure of any Successor of the Sovereign by whom the same Commissions may have been or may hereafter be granted, until the same shall be revoked or otherwise avoided.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. XLIV.

An Act to regulate, for One Year, the Importation of Arms, Gunpowder, and Ammunition into *Ireland*, and the making, removing, selling, and keeping of Arms, Gunpowder, and Ammunition in *Ireland*. [16th *July* 1830.]

WHEREAS it is expedient that Provision should be made for the further and more effectual Attainment of the Purposes of an Act made in the Third Year of the Reign of His late Majesty King *George* the Fourth, for regulating the Importation of Arms, Gunpowder, and Ammunition into *Ireland*, and the making, removing, selling, and keeping of Arms, Gunpowder, and Ammunition in *Ireland*, which will expire at the End of this present Session of Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall not be lawful for any Person to import or bring into *Ireland* any Cannon, Mortar, Ordnance, Blunderbuss, Gun, Pistol, or other Arms, or any Lock, Stock, Barrel, or other Part of any Gun, Pistol, or other Arms, or any Sword, Sword Blade, Bayonet, Pike, Pike Head, Spear, Spear Head, Weapon of War, or any Part of any such Weapon or any Instrument serving the Purposes of any such Weapon, or any Cannon Balls, Musket Balls, or Pistol Balls, or any Gunpowder, Brimstone, Saltpetre, or other Material

No Ordnance, Arms, Gunpowder, &c. shall be imported into Ireland without Licence from the Lord Lieutenant.

Material or Ingredient used in the making of Gunpowder, or any Military Accoutrements, without having first obtained a Licence for that Purpose, pursuant to the Directions of this Act, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, or, in his Absence, of his Under Secretary, for the Time being, which Licence shall specify the Number and particular Kind of Arms, Ordnance, Guns, Pistols, or other Arms, or of Locks, Stocks, Barrels, or other Parts thereof, or Balls, Swords, Sword Blades, Bayonets, Pikes, Spears, Spear Heads, Weapons of War, or Parts of any such Weapons or Instruments serving the Purposes of such Weapons, or Accoutrements, and the Quantity of Gunpowder, Brimstone, Saltpetre, or other Material for making Gunpowder, thereby licensed to be imported or brought.

Persons may land Arms for personal Defence, on registering the same.

II. Provided always, and be it enacted, That it shall be lawful for any Subject of His Majesty coming into *Ireland* to land such Arms as such Subject shall have actually carried for personal Defence, and as are usually carried for that Purpose, and no other, upon registering such Arms, and the Name and usual Place of Abode of such Person, with the chief Officer of the Port where such Person shall land, and obtaining from such Officer a Licence for landing the same, which Licence shall be granted without any Fee or Reward.

Arms, &c. imported without Licence, to be forfeited, as also the importing Vessels.

III. And be it further enacted, That if any Person shall, contrary to the Provisions of this Act, import or bring any Cannon, Mortar, Ordnance, Gun, Blunderbuss, Pistol, or other Arms, or any Stock, Lock, Barrel, or other Part of any Gun, Pistol, Blunderbuss, or other Arms, or any Balls, Sword, Sword Blade, Bayonet, Pike, Pike Head, Spear, Spear Head, Weapon of War, or Instrument serving the Purposes of any such Weapon, or any Accoutrements, Gunpowder or Ammunition, Brimstone or Saltpetre, or other Material for making Gunpowder, without such Licence for the Importation thereof as aforesaid, or if any Ship, Vessel, or Boat shall be found in any Port, Harbour, or Creek in *Ireland*, having on board any such Article for the Importation or bringing of which such Licence shall not have been obtained, all such Articles, and also such Ship, Vessel, or Boat, with all her Furniture and Apparel, shall be forfeited to His Majesty, and shall and may be seized by any Justice of the Peace or Peace Officer, or by any Officer of His Majesty's Excise or Customs; and all such Articles not licensed to be imported as aforesaid shall, when so seized, be deposited in such Place or Places as shall be appointed for the Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and every Importer or Bringer thereof, whether Owner thereof or not, shall for every such Importation or bringing forfeit the Sum of One hundred Pounds; and the Master or Person commanding the Ship or other Vessel in which any such unlicensed Article shall be imported or brought or shall be found shall forfeit the Sum of Fifty Pounds; and any Person so offending may be arrested under the Warrant of any Justice of the Peace, and committed by such Justice to the Common Gaol of the County or Place in which such Offence shall be committed, there to remain until such Offender enter into a Recognizance before such or some other Justice, with

Penalty on Importer 100*l.*, and on Master of Vessel, 50*l.*

Offenders may be arrested, and bound before Justice of Peace with Sureties.

Two sufficient Sureties, in the Sum of Five hundred Pounds, conditioned to abide such Order or Judgment as may by Law be made or given against such Offender in respect of such Offence, or until such Offender shall be discharged by due Course of Law.

No Person in Ireland shall manufacture Gunpowder, or keep Gunpowder, Cannon, or Ordnance, without an annual Licence of Lord Lieutenant, &c.

IV. And be it further enacted, That from and after the Commencement of this Act no Person shall make or manufacture any Gunpowder in *Ireland*, nor shall keep any Gunpowder, or any Cannon or other Ordnance, unless such Person shall obtain a Licence for such Purposes respectively under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, or, in his Absence, of the Under Secretary, for the Time being; and every such Licence shall be in force for One Year from the granting thereof, and no longer; and the Place where such Gunpowder is to be made or manufactured, and every Store or Place belonging to such Manufacturer or other Person in which any Gunpowder, Cannon, or other Ordnance is to be kept, shall be set forth and described in such Licence, together with the Name of the Person superintending the Work at the Mills of any such Maker or Manufacturer of Gunpowder; and if such Maker or Manufacturer of Gunpowder shall have any Office or Place of Delivery separate from such Mills, the Name of the Person to whom the Gunpowder shall be consigned at such Office, and the Place where such Office is situated, shall also be set forth and described in such Licence; and if any Person shall, after the Commencement of this Act, make or manufacture any Gunpowder in *Ireland* without having obtained such Licence as is required by this Act for that Purpose, or if any Person not duly authorized to manufacture or to keep or to sell or deal in Gunpowder shall keep in his or their Custody any greater Quantity of Gunpowder than Two Pounds Weight, or if any Person not licensed to keep Cannon or other Ordnance shall keep any such Cannon or Ordnance in his or her Custody, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds; and all Gunpowder, and all Materials for making the same, and all Cannon or other Ordnance, found in the Possession of or in any House or other Place belonging to such Offender, shall be forfeited; and it shall and may be lawful for any Justice of the Peace to seize, or by Warrant to cause to be seized, any Gunpowder (exceeding the Quantity of Two Pounds Weight), or any Cannon or Ordnance, in the Custody or Possession of any Person in *Ireland*, unless a Licence for manufacturing or keeping or dealing in or selling the same respectively, duly granted and in force, shall, upon Demand, be produced by the Person in whose Custody or Possession such Gunpowder, Cannon, or Ordnance shall be and shall be so seized.

Penalty 50*l.* and Forfeiture of Gunpowder, &c.

No Person, not licensed as a Manufacturer, shall sell Gunpowder without an annual Licence for that Purpose.

V. And be it further enacted, That from and after the Commencement of this Act no Person, not being duly licensed to manufacture Gunpowder as aforesaid, shall deal in or sell Gunpowder, by Retail or otherwise, in *Ireland*, unless he shall have obtained a Licence for that Purpose, under the Direction of this Act, from the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, or, in his Absence, the Under Secretary,

Secretary, for the Time being; and such Licence shall be in force for One Year from the granting thereof, and no longer; and any Person who shall deal in or sell Gunpowder, by Retail or otherwise, without having obtained such Licence as is required by this Act, shall forfeit for every Time such Person shall sell any Gunpowder the Sum of Fifty Pounds; and all Gunpowder, and every Cask or Vessel in which the same shall be contained, found in the Possession of such Person, shall be forfeited and seized by any Justice of the Peace, or any Person authorized thereto by Warrant from any such Justice.

Penalty 50*l.* and Forfeiture of Gunpowder, &c.

VI. And be it further enacted, That no Licence to deal in or sell Gunpowder required by this Act shall be granted to any Person not having been licensed under the said Act of the Third Year of His Majesty's Reign, unless the Person applying for such Licence shall produce a Certificate under the Hands of Two Justices of the Peace assembled at some Quarter Sessions of the Peace for the County or County of the City or County of a Town in which the Person requiring such Licence shall reside, or at some Adjournment of such Quarter Sessions, or under the Hand of the Clerk of the Peace at such Sessions or Adjournment, in pursuance of an Order made at such Sessions or Adjournment, setting forth that the Person applying for such Licence is a proper Person to be licensed to deal in and sell Gunpowder: Provided always, that notwithstanding such Certificate or any other Matter, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or such Chief or Under Secretary, to refuse such Licence, if he or they respectively shall think proper so to do.

Licences shall not be granted to any Persons not licensed under 3 G. 4. c. 4. without a Certificate of Justices at Quarter Sessions.

Licence may be refused, although such Certificate be granted.

VII. Provided always, and be it enacted, That it shall and may be lawful for the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, for his Under Secretary, for the Time being, by an Order in Writing under his Hand, from Time to Time, whenever and so often as shall seem expedient, and for such Period of Time as shall be expressed in such Order, to recall, annul, suspend, or prohibit the acting under the Authority of any Licence to deal in and sell Gunpowder granted under this Act or under any Act heretofore in force in that Behalf; and the Party to whom such Order shall relate shall be served with Notice of the same by the Delivery of a Copy thereof to such Party in Person, or by a Copy thereof being left at the Shop or Warehouse of such Party, and the said Order being shown to some Person above the Age of Twelve Years of or belonging to such Party; and such Service shall, by the Person making the same, be verified by Affidavit of such Person in Writing before any Justice of the Peace or Magistrate having Jurisdiction where the Party so served shall reside; and such Justice of the Peace is hereby authorized, empowered, and required to administer an Oath for the Purpose of taking the said Affidavit; and such Affidavit, when sworn, shall be transmitted to the Chief Secretary, or, in his Absence, to the Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, together with the original Order, the Copy of which shall be so delivered or left; and any Person so licensed and served with such Order who shall, at any Time

Licences under this or any former Act may be suspended on Notice from Chief Secretary to Party licensed.

Affidavit of such Service.

Penalty on selling Gunpowder

Time whilst such Order shall be in force, deal in or sell Gunpowder, shall forfeit the Sum of Five hundred Pounds, and all Gunpowder in the Possession of such Person; and such Gunpowder so forfeited shall and may be seized to the Use of His Majesty by or under the Warrant of any Justice of the Peace, or by any Officer of His Majesty's Revenue of Customs or Excise.

during Suspension of Licence, 500*l.* and the Gunpowder.

VIII. And be it further enacted, That whenever any Maker of or Dealer in Gunpowder shall sell or dispose of any Quantity of Gunpowder to any Person licensed to deal in or sell or to keep Gunpowder, the Person so selling or disposing of Gunpowder, or his or her known Clerk or Manager, shall indorse on the Licence of the Person to whom the same shall be sold or disposed of the Quantity sold or disposed of, and the Time when, and shall sign his Name thereto, or shall for every Neglect therein forfeit the Sum of Twenty Pounds; and if any Person shall sell or deliver any greater Quantity of Gunpowder than Two Pounds Weight to any Person not producing a Licence duly granted for the dealing in or selling Gunpowder, or for the keeping of a greater Quantity of Gunpowder than Two Pounds Weight, every Person so offending shall for every such Offence forfeit Twenty Pounds.

Maker of or Dealer in Gunpowder, selling to a licensed Dealer, shall indorse the Quantity on the Buyer's Licence.

Penalty on selling more than 2 lbs. Weight to an unlicensed Person, 20*l.*

IX. And be it enacted, That it shall be lawful for the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, for his Under Secretary, upon the Production of any Licence for dealing in and selling Gunpowder so indorsed, to grant a Licence for removing and conveying the Quantity of Gunpowder mentioned in such Indorsement from the Person so selling the same to the Person so licensed.

Licence for removing Gunpowder bought by licensed Dealer.

X. And be it further enacted, That if any Person shall within any Period of Two Calendar Months sell or deliver to any one and the same Person, not duly licensed to deal in or sell or to keep Gunpowder, a greater Quantity thereof than Two Pounds Weight, every Person so offending shall for each such Offence forfeit the Sum of Twenty Pounds.

Penalty for selling more than 2 lbs. within Two Months to an unlicensed Person.

XI. And be it further enacted, That it shall not be lawful for any Person to remove or cause to be removed from any Part of *Ireland*, either by inland Carriage or Coastways, any Cannon, Mortar, Ordnance, Gun, Pistol, or other Arms, or any Lock, Stock, Barrel, or other Part of any Gun, Pistol, or other Arms, or any Balls or Bullets, or any Gunpowder exceeding the Weight of Two Pounds, or any Brimstone or Saltpetre, without a Licence for removing and conveying the same granted by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, by his Under Secretary; and it shall and may be lawful for any Justice of the Peace or Peace Officer, or any Officer of the Revenue of Customs or Excise, upon Information on Oath, to search for and seize all such Cannon, Mortar, Ordnance, Gun, Pistol, or other Arms, Locks, Stocks, Barrels, or other Parts of Arms, Balls, Bullets, Gunpowder, or other Articles herein-before mentioned, which shall be in progress of Removal or shall be removed without such Licence,

Arms, Gunpowder, &c. shall not be removed without Licence.

Seizure of Arms, &c. illegally removing.

or without producing such Licence on Demand of any Justice of the Peace or of any Officer of Excise or Customs, and the same shall be forfeited to His Majesty, together with the Cart, Car, or other Vehicle on which the same shall be put for Conveyance, and every Horse or other Beast employed for drawing or carrying the same, and the Ship, Boat, or other Vessel conveying the same; and every Person who caused the same to be removed shall forfeit the Sum of One hundred Pounds.

Proviso for Arms for personal Defence or sporting.

XII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person from carrying Arms for the Defence of his Person or for sporting, as by Law he might before the passing of this Act.

No Gunpowder to be kept by Persons not authorized to carry Arms.

XIII. And be it further enacted, That it shall not be lawful for any Person, not by Law authorized to keep and carry Arms, to keep any Quantity of Gunpowder whatever, whether such Person shall or shall not have any Licence relating to Gunpowder; and that any Person herein offending shall be dealt with as if he had not any Licence.

Makers of Arms in Dublin and Cork may send out Arms without Licence for Removal.

XIV. Provided always, and be it enacted, That it shall and may be lawful for any Maker of and Dealer in Arms in the Cities or Liberties of *Dublin* or *Cork*, being licensed as herein-after mentioned, to send Arms to Persons in the said Cities respectively, in the Day-time, either uncovered, or in Packages conspicuously marked with the Words "Arms," without obtaining a Licence for so removing the same.

Dealers shall give Notice of receiving Gunpowder to Magistrate, who shall view the same and the Indorsement on the Licence, &c.

XV. And be it further enacted, That every Person licensed to deal in or sell Gunpowder shall, within Forty-eight Hours after receiving any Gunpowder by virtue of any Licence for the Removal thereof, give notice of the Arrival thereof to the next Justice of the Peace or other Magistrate; and thereupon it shall be lawful for such Justice or Magistrate to enter into the House of such Person, and to view and examine such Gunpowder, and the Licence for the Removal of such Gunpowder, and the Licence of such Dealer, with the Indorsement made thereon by the Person who sold such Gunpowder; and such Person shall declare and show to such Justice or Magistrate, if required, all the Stock of Gunpowder in his or her Possession; and if any such Person shall not give such Notice, or shall not permit such Justice or Magistrate to view or examine such Licences respectively, or such Gunpowder, or shall not declare and show to such Justice or Magistrate all his or her Stock of Gunpowder, every such Person for each such Offence shall forfeit the Sum of Twenty Pounds; and if any Gunpowder not so declared or shown shall be found in the Possession of such Person, the same shall be forfeited, and shall be seized to the Use of His Majesty by or under the Order of such Justice or Magistrate.

Penalty on licensed Persons procuring Gun-

XVI. And be it further enacted, That if any Licence to deal in or sell or to keep Gunpowder shall be made use of for procuring Gunpowder for the Use of any other Person than the Person named in

such Licence, or if any Gunpowder bought in the Name of any Person so licensed shall, with the Knowledge of such Person, be carried, brought, or delivered to any other than the Person so licensed, the Person so licensed shall forfeit the Sum of Two hundred Pounds, and the Licence before granted to such Person shall be void. powder for unlicensed Persons.

XVII. And be it further enacted, That every Maker or Manufacturer of Gunpowder, and every Person dealing as a Factor or Agent in selling the same, in *Ireland*, shall, within Thirty Days after the Commencement of this Act, return an Account to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or, in his Absence, to the Under Secretary, of all the Stock of Gunpowder in his or her Possession, describing the Place or Places where the same shall be kept, and the Packages containing the same, and shall verify such Return by Affidavit at the Foot of such Return, to be sworn before any Magistrate, and shall provide a Book in which such Quantity shall be entered; and shall from Time to Time in the first Week of every Calendar Month, and also upon the completing the Manufacture of any Quantity or Quantities of Gunpowder, or receiving the same to be sold, (as the Case may be,) make a like Return, verified as aforesaid, and like Entry; and every such Maker or Manufacturer shall also enter separately in such Book an Account of every Parcel of Gunpowder sold or disposed of, with the Time when, and to whom; and it shall be lawful for any Person authorized by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, by his Under Secretary, at all reasonable Times to have Access to such Book, and to examine the Stock of such Maker or Seller of Gunpowder, or such Factor or Agent, and compare and balance the same with the Account kept in such Book; and if it shall appear that any Fraud had been committed, or that any Gunpowder had been sold, sent, or disposed of contrary to the Provisions of this Act, the Person licensed shall forfeit Fifty Pounds, and the Licence to such Person shall become void, and such Person shall be disabled in future to make or manufacture or sell Gunpowder. Gunpowder Makers, within 30 Days after Commencement of Act, and afterwards monthly, shall return Account of their Stock, &c. to Chief Secretary; and keep Books with Accounts of Sales, &c., to be inspected and Stock examined under Orders of Chief Secretary.

XVIII. And be it further enacted, That if any Maker or Manufacturer of Gunpowder, or Factor or Agent selling Gunpowder, shall not make such Returns as aforesaid, verified as aforesaid, or shall not keep such Book, or shall omit to make therein any Entry required by this Act, or shall refuse to permit any Person thereto authorized to inspect the same, or to examine the Stock of Gunpowder of such Maker, Manufacturer, Factor, or Agent, every such Offender shall for every such Offence respectively forfeit the Sum of Twenty Pounds. Penalty for not making Returns, &c., 20*l.*

XIX. Provided always, and be it enacted, That every Person duly licensed to manufacture Gunpowder may send, at any Time between Sunrise and Sunset, any Quantity thereof to his Office or Place of Delivery mentioned in the Licence granted to him, or to His Majesty's Stores, and not elsewhere, without obtaining a Licence for the Carriage or Removal of the same; provided that with every Quantity of Gun- Licensed Manufacturers may send Gunpowder, in the Daytime, to their Offices or the

King's Stores, with a Manifest only.

Gunpowder so sent the Maker or his Superintendent shall send a Manifest, expressing the Quantity sent, and whether in Barrels, Half Barrels, or Quarter Barrels, and the Places from which and to which it is sent, which Manifest shall be dated and signed by the Maker of such Gunpowder, or his Superintendent.

Penalty on Fraud by Manifest, 500*l.*, &c.

XX. And be it further enacted, That if any greater Quantity of Gunpowder than what is expressed in such Manifest shall be so sent, or if the Gunpowder therein mentioned shall be sent to any other Place than to such Office or Place of Delivery, or to His Majesty's Stores, the same shall be forfeited to His Majesty, and the Person sending the same shall forfeit Five hundred Pounds.

Gunpowder exceeding Five Pounds shall be removed in Casks, &c. Penalty 500*l.*

XXI. And be it further enacted, That all Gunpowder exceeding Five Pounds Weight, which shall be removed from any Part of *Ireland*, to any other Part of the same, shall be made up in Casks with the Word "Gunpowder" marked thereon in large Letters, upon pain of forfeiting the same to His Majesty; and that it shall be lawful for any Person to seize and carry to His Majesty's Stores any Quantity of Gunpowder exceeding Five Pounds Weight, and not so made up and marked; and the Person who shall have caused such Gunpowder to be carried without being so made up or marked shall forfeit for each such Offence the Sum of Five hundred Pounds.

Yearly Licences to be had for making or repairing Arms.

XXII. And be it further enacted, That no Person shall make, construct, amend, repair, or keep for or expose to Sale in *Ireland* any Cannon or other Ordnance, or any Gun, Musket, Pistol, or other Arms, or any Lock, Barrel, Stock, or other Part of any Gun, Pistol, or Arms, or any Bayonet, Sword, Sword Blade, Spear, Spear Head, Pike, Pike Head, or Instrument serving for a Pike or Pike Head, or other Military Weapon, without a Licence from the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, his Under Secretary, which Licence shall be granted to any known Gunsmith or Sword Cutler, if it shall seem fit to such Secretary or Under Secretary; and if any Person shall make or construct, mend, alter, or repair, or keep for or expose to Sale, any Cannon or other Ordnance, or any Gun, Musket, Pistol, or other Arms, or any Lock, Barrel, Stock, or other Part of any Gun, Pistol, or other Arms, or any Bayonet, Sword, Sword Blade, Spear, Spear Head, Pike, Pike Head, or Instrument serving for a Pike or Pike Head, or other Military Weapon, without having obtained such Licence, every such Article found with such Person shall be forfeited, and may be seized by any Justice of the Peace or Magistrate, or Officer of Customs or Excise, or by any Person authorized thereto by the Warrant of any Justice of the Peace or Magistrate, and every such Offender shall forfeit a Sum of One hundred Pounds; and such Licence shall be of force for One Year, and no longer, from the Time of granting thereof.

Penalty, Forfeiture of Arms and 100*l.*

Monthly Account of Arms sold, &c. shall be

XXIII. And be it further enacted, That every Person who shall make, repair, or sell any Cannon, Ordnance, Gun, Pistol, or other Fire-arms, or any Locks, Barrel, Stock, or other Part of any Gun, Pistol,

Pistol, or other Fire-arms, or any Sword, Bayonet, Pike, Pike Head, Spear, Spear Head, or Instrument serving for a Pike or Pike Head, or any other Military Weapon, shall keep a Book, in which he or she shall enter or cause to be entered a monthly Account of all such Articles made, sold, or repaired by such Person, and to and for whom the same were sold or repaired, and the respective Times when; and shall monthly return to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or, in his Absence, to his Under Secretary, a Copy of such Account, verified on Oath before any Magistrate; and it shall be lawful for any Person empowered for that Purpose by the Chief Secretary, or, in his Absence, by his Under Secretary, at all reasonable Times, on Demand, to have access to such Book to examine the same; and if any Person making, repairing, or selling any such Article shall not keep such Book, or shall not truly enter therein such Account as aforesaid, or shall omit to make any such Return as aforesaid, verified as aforesaid, or shall not, after Demand, produce such Book to such Person as shall be authorized as aforesaid, or shall not permit such Person to examine the same, every Person offending shall for every such Offence forfeit Twenty Pounds.

kept and returned to Chief Secretary.

Books may be examined on behalf of Chief Secretary.

Penalty on Default, &c. 20*l.*

XXIV. And be it further enacted, That it shall and may be lawful to and for any Justice of the Peace or Magistrate to enter and search, or to grant a Warrant to any Person or Persons to be by him named to enter and search, any House, Place, Ship, Boat, or Vessel where or in which such Justice or Magistrate shall, from Information on Oath, have reasonable Grounds to suspect any Arms, Ammunition, or Gunpowder to be deposited for any Purpose contrary to this Act.

Justice of Peace may search for Arms, &c.

XXV. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time by Order under his Hand, or signified by the Chief Secretary, or, in his Absence, by the Under Secretary, to annul and make void any Licence granted under this Act.

Lord Lieutenant may revoke any Licence.

XXVI. And be it further enacted, That all pecuniary Forfeitures inflicted by this Act shall go and be paid to the Use of His Majesty, His Heirs and Successors, and may be recovered by Information to be filed in the Name of His Majesty's Attorney General in any of His Majesty's Courts of Record in *Dublin*; and any Forfeiture of any Article or Thing which by virtue of this Act shall and may be seized shall be sued for, recovered, and applied in the Manner and Form, and by the Ways and Means, and with the Powers and Authorities prescribed, directed, or appointed in and by any Law relative to His Majesty's Revenue of Excise, as if the same were particularly mentioned and expressed and re-enacted in this present Act, with the like Remedy of Appeal to and for any Party who shall think him or herself aggrieved or injured as in and by any Law relating to His Majesty's Revenue of Excise is provided.

Recovery of Forfeitures, &c. for Use of the Crown.

Lord Lieutenant in Council may remit Penalties, &c.

XXVII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at his and their Discretion, to remit or mitigate any Penalty or Forfeiture sued for under this Act, and to order the Restoration of any Ship, Vessel, or Boat, or of any Arms, Gunpowder, or Ammunition, or other Article, seized under the Authority of this Act.

Commissioners, &c. may restore Ships, &c. and remit Penalties, &c. under certain Circumstances.

XXVIII. Provided always, and be it enacted, That in any Case in which it shall be made appear to the Satisfaction of the Commissioner and Assistant Commissioners of Customs acting in *Dublin*, or the Collector of the Customs at that Port, or the Collector of the Customs at any other Port in *Ireland*, that any Seizure has been made of any Ship, Vessel, or Boat, or of any Arms, Gunpowder, Ammunition, or other Article, or that any Penalty or Forfeiture has been incurred by the Owners or by the Master or Commander of any Ship, Vessel, or Boat, or by any other Person or Persons, for any Offence against this Act, contrary to the Intentions, and without the Privity, Consent, or Concurrence of the Person or Persons liable in any Manner to suffer by any such Seizure, Penalty, or Forfeiture, it shall and may be lawful for such Commissioner and Assistant Commissioners, and for any such Collector of the Customs as aforesaid at the Port in which such Circumstances shall take place, to order any Ships, Vessels, or Boats to be restored in any such Manner and on such Terms and Conditions as such Commissioner and Assistant Commissioners of Customs, or as such Collector of Customs, shall think fit to direct, and also to remit or mitigate any Penalty or Forfeiture, as they shall see Reason to acquit any Party of Blame in respect of such Offence, or more or less to attribute the Commission of such Offence to Neglect of Duty in any such Party; and every Forfeiture and every Penalty or Part thereof so remitted shall be null and void; and no Suit or Action shall be brought or maintained by any Person whatever on account of any such Seizure or Detention, or of the imposing of any such Forfeiture or Penalty.

Limitation of Actions.

XXIX. And be it further enacted, That in case any Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done or executed in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the alleged Cause of Action shall accrue; and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereon, and prove that the same was done under the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action or Prosecution, or if Judgment shall be given against such Plaintiff or Plaintiffs upon Demurrer or otherwise, such Defendant or Defendants shall have Double Costs awarded to him or them against such Plaintiff or Plaintiffs.

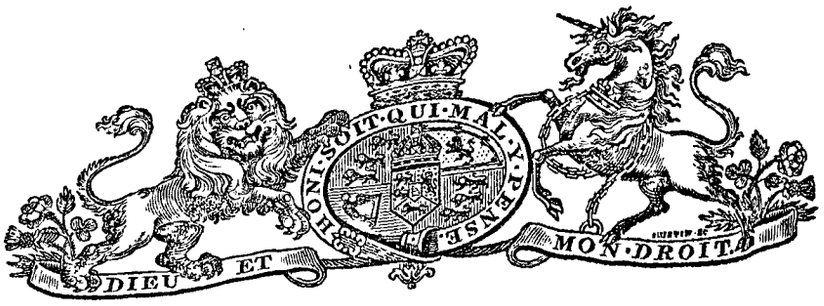
Commencement and Continuance of Act.

XXX. And be it further enacted, That this Act shall commence and take effect from the last Day of this present Session of Parliament,

and shall be and remain in force for the Term of One Year from and after the passing thereof, and from thence until the End of the then next Session of Parliament.

XXXI. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be made in this present Session of Parliament. Act may be amended.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLV.

An Act to subject to Duties of Customs Goods the Property of the Crown, in case of Sale after Importation. [16th *July* 1830.]

WHEREAS Goods, Wares, and Merchandize, the Property of the Crown, are not by Law subject to the Payment of any Duties of Customs on Importation into any Part of His Majesty's Dominions: And whereas it is expedient that such Goods, Wares, and Merchandize, in the Case of the Sale thereof after Importation, should be subject to the Payment of such Duties; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Goods, Wares, and Merchandize, the Property of the Crown, shall, in case of the Sale thereof after Importation into this Realm, be liable to and shall be charged with such and the same Duties of Customs as may be by Law payable or charged on the like Goods, Wares, and Merchandize, not being the Property of the Crown.

Goods, &c. the Property of the Crown sold after Importation charged with Duty.

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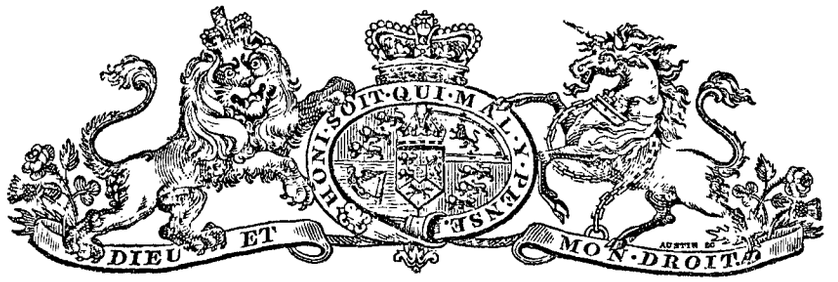

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLVI.

An Act to alter and amend the Law relating to Illusory Appointments. [16th *July* 1830.]

WHEREAS, by Deeds, Wills, and other Instruments, Powers are frequently given to appoint Real and Personal Property amongst several Objects, in such Manner that none of the Objects can be excluded by the Donee of the Power from a Share of such Property: And whereas Appointments in exercise of such Powers, whereby an unsubstantial, illusory, or nominal Share of the Property affected thereby is appointed to or left unappointed to devolve upon any one or more of the Objects thereof, are invalid in Equity, although the like Appointments are good and binding at Law: And whereas considerable Inconvenience hath arisen from the Rule of Equity relative to such Appointments, and it is expedient that such Appointments should be as valid in Equity as at Law; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Appointment, which from and after the passing of this Act, shall be made in exercise of any Power or Authority to appoint any Property, Real or Personal, amongst several Objects, shall be invalid or impeached in Equity, on the Ground that an unsubstantial, illusory, or nominal Share only shall be thereby appointed to or left unappointed to devolve upon any one or more of the Objects of such Power; but that every such Appointment shall be valid and effectual in Equity as well as at Law, notwithstanding

Illusory Appointments shall be valid in Equity as well as at Law.

standing that any one or more of the Objects shall not thereunder, or in default of such Appointment, take more than an unsubstantial, illusory, or nominal Share of the Property subjected to such Power.

Not to affect any Deed which declares the Amount of the Share;

II. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice or affect any Provision in any Deed, Will, or other Instrument creating any such Power as aforesaid, which shall declare the Amount of the Share or Shares from which no Object of the Power shall be excluded.

nor to give any other Force to any Appointment than the same would have had.

III. Provided also, and be it further enacted and declared, That nothing in this Act contained shall be construed, deemed, or taken, at Law or in Equity, to give any other Validity, Force, or Effect to any Appointment, than such Appointment would have had if a substantial Share of the Property affected by the Power had been thereby appointed to or left unappointed to devolve upon any Object of such Power.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLVII.

An Act for consolidating and amending the Laws for facilitating the Payment of Debts out of Real Estate. [16th *July* 1830.]

WHEREAS an Act was passed in the Third and Fourth Years of King *William* and Queen *Mary*, intituled *An Act for the Relief of Creditors against fraudulent Devises*, 3 & 4 W. & M. c. 14. which was made perpetual by an Act passed in the Sixth and Seventh Years of King *William* the Third, intituled *An Act for continuing several Laws therein mentioned:* And whereas an Act was passed by the Parliament of *Ireland*, in the Fourth Year of Queen *Anne*, intituled *An Act for Relief of Creditors against fraudulent Devises:* And whereas an Act was passed in the Forty-seventh Year of His late Majesty King *George* the Third, intituled *An Act for more effectually securing the Payment of Debts of Traders:* And whereas it is expedient that the Provisions of the said recited Acts should be enlarged, and that the said recited Acts should be repealed, in order that all the Provisions relating to this Matter should be consolidated in One Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent

6 & 7 W. 3. c. 14.

4 Ann. c. 5. (I.)

47 G. 3. c. 74.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said several recited Acts shall be and the same are hereby repealed, but so as not to affect any of the Provisions and Remedies of the said Acts, or any of them, to the Benefit of which any Persons are entitled, as against any Estate or Interest in any Lands, Tenements, Hereditaments, or other Real Estate, of any Person or Persons who died before the passing of this Act.

Recited Acts repealed.

For remedying Frauds committed on Creditors by Wills.

II. And whereas it is not reasonable or just that by the Practice or Contrivance of any Debtors their Creditors should be defrauded of their just Debts, and nevertheless it hath often so happened, that where several Persons having by Bonds, Covenants, or other Specialties bound themselves and their Heirs, and have afterwards died seised in Fee Simple of and in Manors, Messuages, Lands, Tenements, and Hereditaments, or had Power or Authority to dispose of or charge the same by their Wills or Testaments, have, to the defrauding of such their Creditors, by their last Wills or Testaments, devised the same or disposed thereof in such Manner as such Creditors have lost their said Debts; for remedying of which, and for the Maintenance of just and upright Dealing, be it therefore further enacted, That all Wills and Testamentary Limitations, Dispositions, or Appointments, already made by Persons now in being, or hereafter to be made by any Person or Persons whomsoever, of or concerning any Manors, Messuages, Lands, Tenements, or Hereditaments, or any Rent, Profit, Term, or Charge out of the same, whereof any Person or Persons, at the Time of his, her, or their Decease, shall be seised in Fee Simple, in Possession, Reversion, or Remainder, or have Power to dispose of the same by his, her, or their last Wills or Testaments, shall be deemed or taken, (only as against such Person or Persons, Bodies Politic or Corporate, and his and their Heirs, Successors, Executors, Administrators, and Assigns, and every of them, with whom the Person or Persons making any such Wills or Testaments, Limitations, Dispositions, or Appointments shall have entered into any Bond, Covenant, or other Specialty binding his, her, or their Heirs,) to be fraudulent, and clearly, absolutely, and utterly void, frustrate, and of none Effect; any Pretence, Colour, feigned or presumed Consideration, or any other Matter or Thing to the contrary notwithstanding.

Enabling Creditors to recover upon Bonds, &c.

III. And, for the Means that such Creditors may be enabled to recover upon such Bonds, Covenants, and other Specialties, be it further enacted, That in the Cases before mentioned every such Creditor shall and may have and maintain his, her, and their Action and Actions of Debt or Covenant upon the said Bonds, Covenants, and Specialties against the Heir and Heirs at Law of such Obligor or Obligors, Covenantor or Covenantors, and such Devisee and Devisees, or the Devisee or Devisees of such first-mentioned Devisee or Devisees jointly, by virtue of this Act; and

and such Devisee and Devisees shall be liable and chargeable for a false Plea by him or them pleaded, in the same Manner as any Heir should have been for any false Plea by him pleaded, or for not confessing the Lands or Tenements to him descended.

If there is no Heir at Law Actions may be maintained against the Devisee.

IV. And be it further enacted, That if in any Case there shall not be any Heir at Law against whom, jointly with the Devisee or Devisees, a Remedy is hereby given, in every such Case every Creditor to whom by this Act Relief is so given shall and may have and maintain his, her, and their Action and Actions of Debt or Covenant, as the Case may be, against such Devisee or Devisees solely; and such Devisee or Devisees shall be liable for false Plea as aforesaid.

Not to affect Limitations for just Debts, or Portions for Children.

V. Provided always, and be it further enacted, That where there hath been or shall be any Limitation or Appointment, Devise or Disposition, of or concerning any Manors, Messuages, Lands, Tenements, or Hereditaments, for the raising or Payment of any real and just Debt or Debts, or any Portion or Portions, Sum or Sums of Money, for any Child or Children of any Person, according to or in pursuance of any Marriage Contract or Agreement in Writing, *bonâ fide* made before such Marriage, the same and every of them shall be in full force, and the same Manors, Messuages, Lands, Tenements, and Hereditaments shall and may be holden and enjoyed by every such Person or Persons, his, her, and their Heirs, Executors, Administrators, and Assigns, for whom the said Limitation, Appointment, Devise, or Disposition was made, and by his, her, and their Trustee or Trustees, his, her, and their Heirs, Executors, Administrators, and Assigns, for such Estate or Interest as shall be so limited or appointed, devised or disposed, until such Debt or Debts, Portion or Portions, shall be raised, paid, and satisfied, any thing in this Act contained to the contrary notwithstanding.

Heir at Law to be answerable for Debts, although he may sell Estate before Action brought.

VI. And be it further enacted, That in all Cases where any Heir at Law shall be liable to pay the Debts or perform the Covenants of his Ancestors, in regard of any Lands, Tenements, or Hereditaments descended to him, and shall sell, alien, or make over the same, before any Action brought or Process sued out against him, such Heir at Law shall be answerable for such Debt or Debts, or Covenants, in an Action or Actions of Debt or Covenant, to the Value of the said Lands so by him sold, aliened, or made over, in which Cases all Creditors shall be preferred as in Actions against Executors and Administrators; and such Execution shall be taken out upon any Judgment or Judgments so obtained against such Heir, to the Value of the said Land, as if the same were his own proper Debt or Debts; saving that the Lands, Tenements, and Hereditaments, *bonâ fide* aliened before the Action brought, shall not be liable to such Execution.

VII. Pro-

Where an Action of Debt is brought against the Heir, he may plead Riens per descent.

VII. Provided always, and be it further enacted, That where any Action of Debt or Covenant upon any Specialty is brought against the Heir, he may plead Riens per descent at the Time of the original Writ brought or the Bill filed against him, any thing herein contained to the contrary notwithstanding; and the Plaintiff in such Action may reply that he had Lands, Tenements, or Hereditaments from his Ancestor before the original Writ brought or Bill filed; and if, upon the Issue joined thereupon, it be found for the Plaintiff, the Jury shall inquire of the Value of the Lands, Tenements, or Hereditaments so descended, and thereupon Judgment shall be given and Execution shall be awarded as aforesaid; but if Judgment be given against such Heir by Confession of the Action, without confessing the Assets descended, or upon Demurrer or Nihil dicit, it shall be for the Debt and Damage, without any Writ to inquire of the Lands, Tenements, or Hereditaments so descended.

Devisees to be liable the same as Heirs at Law.

VIII. Provided always, and be it further enacted, That all and every the Devisee and Devisees made liable by this Act, shall be liable and chargeable in the same Manner as the Heir at Law by force of this Act, notwithstanding the Lands, Tenements, and Hereditaments to him or them devised shall be aliened before the Action brought.

Traders Estates shall be Assets to be administered in Courts of Equity.

IX. And be it further enacted, That from and after the passing of this Act, where any Person being, at the Time of his Death, a Trader, within the true Intent and Meaning of the Laws relating to Bankrupts, shall die seised of or entitled to any Estate or Interest in Lands, Tenements, or Hereditaments, or other Real Estate, which he shall not by his last Will have charged with or devised subject to or for the Payment of his Debts, and which would be Assets for the Payment of his Debts due on any Specialty in which the Heirs were bound, the same shall be Assets to be administered in Courts of Equity for the Payment of all the just Debts of such Person, as well Debts due on Simple Contract as on Specialty; and that the Heir or Heirs at Law, Devisee or Devisees of such Debtor, and the Devisee or Devisees of such first-mentioned Devisee or Devisees, shall be liable to all the same Suits in Equity, at the Suit of any of the Creditors of such Debtor, whether Creditors by Simple Contract or by Specialty, as they are liable to at the Suit of Creditors by Specialty in which the Heirs were bound: Provided always, that in the Administration of Assets by Courts of Equity, under and by virtue of this Provision, all Creditors by Specialty, in which the Heirs are bound, shall be paid the full Amount of the Debts due to them before any of the Creditors by Simple Contract or by Specialty, in which the Heirs are not bound, shall be paid any Part of their Demands.

Creditors by Specialty to be paid first.

Parol shall not demur by or against Infants.

X. And be it further enacted, That from and after the passing of this Act, where any Action, Suit, or other Proceeding for the Payment of Debts, or any other Purpose, shall be commenced or prosecuted by or against any Infant under the Age of Twenty-one Years,

Years, either alone or together with any other Person or Persons, the Parol shall not demur, but such Action, Suit, or other Proceeding shall be prosecuted and carried on in the same Manner and as effectually as any Action or Suit could before the passing of this Act be carried on or prosecuted by or against any Infant, where, according to Law, the Parol did not demur.

Infants to make Conveyances under Order of the Court.

XI. And be it further enacted, That where any Suit hath been or shall be instituted in any Court of Equity, for the Payment of any Debts of any Person or Persons deceased, to which their Heir or Heirs, Devisee or Devisees, may be subject or liable, and such Court of Equity shall decree the Estates liable to such Debts, or any of them, to be sold for Satisfaction of such Debt or Debts, and by reason of the Infancy of any such Heir or Heirs, Devisee or Devisees, an immediate Conveyance thereof cannot, as the Law at present stands, be compelled, in every such Case such Court shall direct, and, if necessary, compel such Infant or Infants to convey such Estates so to be sold (by all proper Assurances in the Law) to the Purchaser or Purchasers thereof, and in such Manner as the said Court shall think proper and direct; and every such Infant shall make such Conveyance accordingly; and every such Conveyance shall be as valid and effectual to all Intents and Purposes as if such Person or Persons, being an Infant or Infants, was or were at the Time of executing the same of the full Age of Twenty-one Years.

Persons having a Life Interest may convey the Fee, if the Estate is ordered to be sold.

XII. And be it further enacted, That where any Lands, Tenements, or Hereditaments hath been or shall be devised in Settlement by any Person or Persons whose Estate under this Act, or by Law, or by his or their Will or Wills, shall be liable to the Payment of any of his or their Debts, and by such Devise shall be vested in any Person or Persons for Life or other limited Interest, with any Remainder, Limitation, or Gift over, which may not be vested, or may be vested in some Person or Persons from whom a Conveyance or other Assurance of the same cannot be obtained, or by way of executory Devise, and a Decree shall be made for the Sale thereof for the Payment of such Debts or any of them, it shall be lawful for the Court by whom such Decree shall be made to direct any such Tenant for Life, or other Person having a limited Interest, or the first executory Devisee thereof, to convey, release, assign, surrender, or otherwise assure the Fee Simple or other the whole Interest or Interests so to be sold to the Purchaser or Purchasers, or in such Manner as the said Court shall think proper; and every such Conveyance, Release, Surrender, Assignment, or other Assurance shall be as effectual as if the Person who shall make and execute the same were seised or possessed of the Fee Simple or other whole Estate so to be sold.

Not to repeal Act 33 G. 1. (I.) relating to Debts due to Bankers.

XIII. And be it further enacted, That nothing in this Act shall extend or be deemed or construed to extend to repeal or alter an Act made by the Parliament of *Ireland*, in the Thirty-third Year of the

the Reign of King *George* the First, intituled *An Act for the better securing the Payment of Bankers Notes, and for providing a more effectual Remedy for the Security and Payment of the Debts due by Bankers.*

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLVIII.

An Act to impose an additional Duty of Customs on Spirits the Produce of the *British* Possessions in *America*. [16th *July* 1830.]

WHEREAS it is expedient to impose an additional Duty of Customs upon the Importation of Spirits or Strong Waters the Produce of the *British* Possessions in *America*; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be raised, levied, collected, and paid an additional Duty of Customs of Sixpence for and upon every Gallon of Spirits or Strong Waters, according to the Strength thereof, the Produce of the *British* Possessions in *America*, which shall, on or after the Fourteenth Day of *June* One thousand eight hundred and thirty, be imported, or which, having been previously imported, shall not have been entered for Home Consumption before the said Fourteenth Day of *June*; and the said Duties shall be in addition to any other Duties now payable thereon, and shall be computed, raised, levied, collected, and paid, recovered, and applied in such and the like Manner and under the like Powers and Provisions as

An additional Duty of 6*d.* per Gallon to be paid on Spirits, the Produce of the British Possessions in America, imported after 14th June 1830.

as any other Duties of Customs on such Spirits or Strong Waters can or may be computed, raised, levied, collected, and paid, recovered, and applied.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XLIX.

An Act to impose additional Duties of Excise on Spirits. [16th *July* 1830.]

WHEREAS it is expedient to impose certain additional Duties of Excise on Spirits; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall be raised, levied, collected, and paid, to and to the Use of His Majesty, His Heirs and Successors, over and above all Duties already imposed for or in respect thereof by any Act or Acts, the several additional Duties of Excise herein-after mentioned; (that is to say,) Additional Duties on Spirits.

From and after the Fifteenth Day of *March* One thousand eight hundred and thirty, for and upon every Gallon of Spirits of the Strength of Hydrometer Proof, ascertained by the Hydrometer called *Sikes'* Hydrometer, which shall be made or distilled in *England* by any Person or Persons whomsoever, an additional Duty of Sixpence, and so in proportion for any greater or less Degree of Strength, or for any greater or less Quantity, to be paid by the first Maker or Distiller thereof:

For and upon every Gallon of Spirits of such Strength as aforesaid which shall have been or shall be made and extracted in *Scotland* or *Ireland* respectively, and warehoused there without Payment of Duty, and which shall have been or shall be taken out of Warehouse there for the Purpose of being removed or imported into

into *England* for Consumption, an additional Duty of Sixpence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity, to be paid by the Distiller or Proprietor thereof at the Time of the Delivery of such Spirits from the Warehouse in *Scotland* or *Ireland* respectively for the Purpose of being brought or imported into *England*:

For and upon every Gallon of Spirits of such Strength as aforesaid which shall be in the Stock, Custody, or Possession of any Distiller in *England* on the Sixteenth Day of *March* One thousand eight hundred and thirty, an additional Duty of Sixpence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity, to be paid by such Distiller:

For and upon every Gallon of Spirits of such Strength as aforesaid which shall be made or distilled in *Scotland* or *Ireland* respectively, or which shall have been made or distilled in *Scotland* or *Ireland* respectively, and shall be or shall have been on the Sixteenth Day of *March* One thousand eight hundred and thirty in the Stock, Custody, or Possession of any Distiller in *Scotland* or *Ireland*, or shall have been warehoused there without Payment of Duty, and which shall be taken out of such Warehouse for Consumption in *Scotland* or *Ireland* respectively, an additional Duty of Two-pence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity:

From and after the Fourteenth Day of *June* One thousand eight hundred and thirty, for and upon every Gallon of Spirits of such Strength as aforesaid which shall be made or distilled in *Scotland* or *Ireland* respectively, or which shall have been made or distilled in *Scotland* or *Ireland* respectively, and shall be or shall have been on the Fifteenth Day of *June* One thousand eight hundred and thirty in the Stock, Custody, or Possession of any Distiller in *Scotland* or *Ireland*, or shall have been warehoused there without Payment of Duty, and which shall be taken out of such Warehouse for Consumption in *Scotland* or *Ireland* respectively, a further additional Duty of Four-pence over and above the said additional Duty of Two-pence, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.

Spirits made in Scotland or Ireland, and removed to England, but not sold on 16th Mar. 1830, to be liable to the Duty hereby imposed.

II. And be it further enacted, That all Spirits which shall have been made or distilled in *Scotland* or *Ireland* respectively, and removed from thence into *England*, and which shall not on the Sixteenth Day of *March* One thousand eight hundred and thirty have been sold or disposed of, or if sold and disposed of shall not have been delivered to the Purchaser thereof, and removed from the Legal Quays or Sufferance Wharfs or other Place of landing, and the Duties whereon shall not have been fully paid and satisfied, shall be liable to the said additional Duty of Sixpence hereby imposed; and the same shall be paid by the Proprietor of such Spirits, or the Person in whose Custody or Possession the same shall, on the Sixteenth Day of *March* One thousand eight hundred and thirty, or at any Time afterwards, be found.

As to Spirits made in Scotland or

III. And be it further enacted, That all Spirits which shall have been made and distilled and warehoused in *Scotland* and *Ireland*

respectively,

respectively, and which shall, before the Sixteenth Day of *March* or Fifteenth Day of *June* One thousand eight hundred and thirty respectively, have been sold and disposed of by the Distiller thereof, but shall not have been delivered to the Purchaser, but have remained and been taken an Account of in any Warehouse, shall be and the same are hereby declared to be liable to the said additional Duties of Two-pence and Four-pence for every Gallon thereof respectively hereby imposed; and the Commissioners, Collectors, and Officers of Excise are hereby authorized and required to demand and receive the said additional Duties before the Delivery of any such Spirits from the Warehouse in which the same shall have been or shall be warehoused; and in case any such Spirits which shall have been so warehoused shall, after the said Fifteenth Day of *March* or Fifteenth Day of *June* One thousand eight hundred and thirty respectively, have been delivered from the Warehouse, it shall and may be lawful for the Commissioners of Excise, and they are hereby authorized and empowered, to collect, recover, and receive the said additional Duties hereby imposed, from the Distiller or Proprietor of such Spirits, by the same Ways, Means, Powers, and Authorities as any other Duties of Excise may by any Act or Acts be collected, recovered, and received; and if any Distiller or Proprietor of any such Spirits shall have been or shall be charged with, and shall have paid or shall pay, the said additional Duties or any Part thereof, it shall and may be lawful for such Distiller or Proprietor to recover the Amount so paid from the Purchaser of the Spirits in respect of which such Distiller or Proprietor shall have been or shall be charged, and shall have paid or shall pay the said additional Duties.

Ireland, and sold, but not delivered at the Periods herein mentioned.

IV. And be it further enacted, That the said additional Duties hereby imposed shall be under the Management of the Commissioners of Excise for the Time being, and the same shall and may be respectively raised, levied, collected, recovered, paid, and applied in such and the like Manner, and in or by the same Means, Ways, or Methods, by which the former Duties of Excise for or in respect of Spirits were or might be raised, levied, collected, recovered, paid, and applied in *England*, *Scotland*, and *Ireland* respectively; and all and every Act or Acts relating to the Duties of Excise, and all and every Fine, Penalty, or Forfeiture of any Nature or Kind whatsoever for any Offence against or in Breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, in force immediately before the passing of this Act, and the several Clauses, Powers, and Directions therein contained, shall and the same respectively are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution for and in respect of, the several additional Duties of Excise by this Act imposed, in as full and ample Manner, to all Intents and Purposes whatsoever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Penalties, or Forfeitures were particularly repeated and re-enacted in the Body of this Act.

Additional Duties to be under the Management of the Commissioners of Excise.

V. And whereas Contracts may have been made before the Sixteenth Day of *March* One thousand eight hundred and thirty or before the said Fifteenth Day of *June* One thousand eight hundred and thirty respectively,

Remedy for Contracts.

respectively, by licensed Distillers and Makers of Spirits, and other Persons, for Spirits to be delivered after those Days on which the additional Duties hereby imposed will attach; be it therefore enacted, That all and every such licensed Distillers and Makers of Spirits, and other Persons, who shall have sold any such Spirits before the Sixteenth Day of *March* or Fifteenth Day of *June* One thousand eight hundred and thirty, on which the additional Duties hereby imposed shall be charged, shall be allowed to add such Money as will be equivalent to the additional Duties by this Act imposed for or in respect of such Spirits to the Price thereof, and shall be entitled by virtue of this Act to demand, recover, and be paid the same accordingly; or it shall be at the Option of any such Distiller or Maker of Spirits, or other Person, having entered into any such Contract for the Delivery of Spirits, or of the Purchaser thereof, before the Delivery and Receipt of such Spirits, to declare the Contract null and void, and the same shall be and is hereby made null and void accordingly.

All Spirits on which the additional Duties are hereby imposed made liable, and may be seized and sold for Default.

VI. And be it further enacted, That all Spirits on which the said additional Duties are hereby imposed, and all Spirits which on the Sixteenth Day of *March* and Fifteenth Day of *June* One thousand eight hundred and thirty respectively, or at any Time afterwards, shall be or be found in the Stock, Custody, or Possession of any Distiller or other Person liable to the Payment of any of the said additional Duties hereby imposed, or in the Custody or Possession of any other Person or Persons in Trust for or to the Use of any such Distiller or other Person or Persons so liable, shall and the same are hereby made subject and liable to the Payment of so much of the said additional Duties, or any Arrear thereof, as they may be respectively liable to under the Provisions of this Act, and shall and may be seized, taken, and sold for Payment thereof, under the Powers or Authorities given by any Act or Acts for the Recovery and enforcing the Payment of any Duties of Excise.

Act may be altered this Session.

VII. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. L.

An Act for granting to His Majesty, until the Fifth Day of *April* One thousand eight hundred and thirty-one, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and thirty.

[16th *July* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned; and therefore do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That on and from and after the Fifth Day of *July* One thousand eight hundred and thirty there shall be charged a Duty of One Pound and Four Shillings on every Hundred Weight of Brown, Muscovado, or Clayed Sugars, being the Produce of and imported into the United Kingdom from the *British* Possessions in *America* or the Island of *Mauritius;* and also a Duty of One Pound and Twelve Shillings on every Hundred Weight of Brown, Muscovado, or Clayed Sugars, being the Produce of and imported

Duty on Sugars imported; viz. from the West Indies or Mauritius, 24*s.* per Cwt.; from the East Indies, 32*s.* the Cwt.;

from any other Place, 63*s.* the Cwt.

imported from the *British* Possessions in the *East Indies* into the United Kingdom; and also a Duty of Three Pounds and Three Shillings for every Hundred Weight of all Brown, Muscovado, or Clayed Sugars, the Produce of or imported from any other Place into the United Kingdom; and the said several Duties are hereby granted and made chargeable until the Fifth Day of *April* One thousand eight hundred and thirty-one.

Duty on Molasses.

II. And be it further enacted, That on and from and after the Fifth Day of *July* One thousand eight hundred and thirty there shall be charged, instead of the Duty now payable, a Duty of Nine Shillings on every Hundred Weight of Molasses, the Produce of and imported into the United Kingdom from any of the *British* Possessions.

Part of the Bounties granted by 6 G. 4. c. 104. and 9 G. 4. c. 76. continued.

III. And be it further enacted, That Eight Tenth Parts of the Bounty granted by an Act of the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to grant certain Bounties and Allowances of Customs*, and also by an Act passed in the Ninth Year of His said Majesty's Reign, intituled *An Act to amend the Laws relating to the Customs*, upon all Sugars therein mentioned, and exported from the United Kingdom, shall be and the same are hereby continued so long as the Duties on the Importation of Sugar imposed by this Act shall remain in force, or be further continued by any Act hereafter to be made.

Duties to be levied as under 6 G. 4. c. 111.

IV. And be it further enacted, That the several Duties imposed by this Act shall be raised, levied, collected, and paid to His Majesty in like Manner as if such Duties had been imposed by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for granting Duties of Customs*.

Bounties to be paid as under 6 G. 4. c. 113.

V. And be it further enacted, That the several Bounties granted by this Act shall be paid and allowed in like Manner as if they had been granted by an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to grant certain Bounties and Allowances of Customs*.

Regulations as to Bounty on Double-refined Sugar.

VI. Provided always, and be it further enacted, That the Bounty hereby continued on Double-refined Sugar, and on Sugar equal in Quality to Double-refined Sugar, shall be paid and allowed although such Sugar shall be in Lumps or shall be in Loaves weighing more than Fourteen Pounds Weight each Loaf; any thing in the said Act passed in the Ninth Year of His late Majesty's Reign to the contrary notwithstanding.

Certain Bounties upon the Exportation of Refined Sugar continued.

VII. Provided always, and be it enacted, That the Nine Tenth Parts of the several Bounties upon the Exportation of Refined Sugar continued and made payable by an Act of the Seventh Year of His late Majesty's Reign, intituled *An Act to alter and amend the several Laws relating to the Customs*, shall be continued and remain payable upon and in respect of any Refined Sugar which

shall be actually water-borne for Exportation, or which shall be warehoused for Exportation, at any Time before the Fifth Day of *September* One thousand eight hundred and thirty.

Monies paid into the Exchequer under this Act shall be separate from other Payments.

VIII. And be it further enacted, That there shall be provided and kept in the Office of the Auditor of the Receipt of His Majesty's Exchequer at *Westminster* One Book of Register, in which all the Money that shall be paid into the said Exchequer from so much of the said Rates and Duties hereby granted on Sugar as shall arise and be payable in *Great Britain* shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty; and it shall be lawful for the Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament; and that so much of the said Duties on Sugar as shall arise and be payable in *Ireland* shall be paid into the Receipt of the Exchequer there, and shall be carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Treasury may direct Exchequer Bills to be made out, not exceeding 3,000,000*l*.

IX. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, at any Time or Times when they shall think fit so to do, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole, including any Sum or Sums of Money issued towards the Aids or Supplies in pursuance of this Act, the Sum of Three Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.* 48 G. 3. c. 1.

Powers of 48 G. 3. c. 1. extended to this Act.

X. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear an Interest.

XI. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Four Pounds *per Centum per Annum* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance Money

XII. And be it declared and enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or

on the Credit of this Act.

or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Exchequer Bills authorized by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Bills to be placed as Cash in the Exchequer;

XIII. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of Exchequer; each and every of which Tellers shall be severally charged with a Proportion of the said Bills which shall be so placed in his Office respectively, any Law or Usage to the contrary notwithstanding.

and to be issuable thereout in common with other Monies.

XIV. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash according to the Course of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills to be charged on the Duties granted by this Act.

XV. Provided always, and be it further enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall be and the same are hereby made chargeable and charged upon the Rates, Duties, and Assessments granted by this Act; and it shall be lawful for the said Commissioners of the Treasury and they are hereby authorized from Time to Time to direct to be issued to the said Paymasters, by way of Imprest and upon Account, such Sums of Money and at such Periods as the said Commissioners shall think necessary for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills, and for and towards the Charge of exchanging and circulating the same Bills or any of them.

XVI. And

Account of Exchequer Bills to be taken.

XVI. And be it further enacted, That on the Fifth Day of *July* One thousand eight hundred and thirty-one, or within Ten Days after, the said Commissioners of the Treasury or any Three or more of them now being, or the Lord High Treasurer or any Three or more of the said Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, shall cause a true and perfect Account in Writing to be taken and attested by the proper Officers of the Amount of all Exchequer Bills that shall have been issued by virtue of this Act, and how much thereof shall before that Time have been paid off or discharged, and how much thereof shall then remain undischarged.

Money due on Exchequer Bills to be paid out of next Aids.

XVII. And be it further enacted, That the Monies so remaining unsatisfied or not discharged, with the Interest due or to grow due thereon, and the Charges of exchanging and circulating the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament after the said Fifth Day of *July* One thousand eight hundred and thirty-one.

Surplus Monies to be carried to Consolidated Fund.

XVIII. And be it further enacted, That the Surplus of the Monies arising from the Rates, Duties, and Assessments granted and imposed by this Act, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall, as a Surplus of any such Monies respectively shall be paid into the Receipt of the Exchequer at *Westminster*, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Treasury to allow the necessary Charges of making forth new Exchequer Bills;

XIX. Provided also, and be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them now being, or the said Lord High Treasurer or any Three or more of the said Commissioners of the Treasury for the Time being, and he or they is and are hereby authorized and empowered, to pay and allow, or cause to be paid and allowed, out of the Monies to arise of or from the said Rates and Duties hereby granted, or of or from the said Consolidated Fund, from Time to Time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

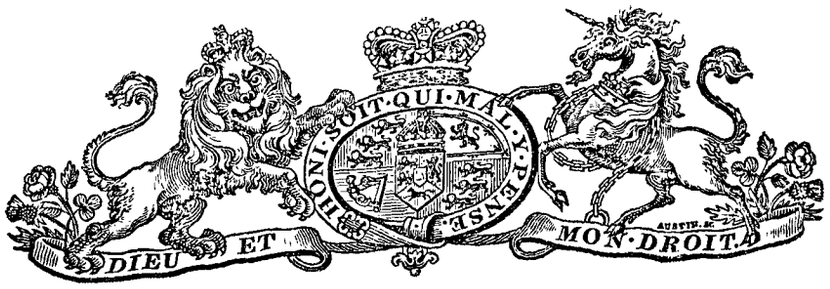
to be replaced out of the first Supplies.

XX. Provided always, and be it enacted, That whatever Monies shall be issued out of the said Consolidated Fund shall from Time to Time be replaced by and out of the first Supplies to be thereafter granted by Parliament; any thing herein contained to the contrary notwithstanding.

Act may be altered this Session.

XXI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.



ANNO PRIMO

GULIELMI IV. REGIS.

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the same, there was granted and made payable to His Majesty, His Heirs and Successors, for ever thereafter, in recompence as aforesaid, the several Hereditary Rates, Impositions, Duties, and Charges on Beer and Ale, Cyder and other Liquors, in the said Act mentioned: And whereas by an Act passed in the Fifth and Sixth Years of the
5 & 6 Anne, c. 8. Reign of Her Majesty Queen *Anne*, intituled *An Act for an Union between the Two Kingdoms of* England *and* Scotland, all Parts of the United Kingdom were made liable to the same Excises on excisable Liquors, whereby the said Hereditary Rates and Duties on Beer, Ale, Cyder, and other Liquors, granted by the said first-recited Act, were extended to *Scotland*, and became there payable to Her Majesty, Her Heirs and Successors for ever: And whereas by another Act passed in the Twelfth Year of the Reign of His Majesty King *Charles*
12 Car. 2. c. 23. the Second, intituled *A Grant of certain Impositions on Beer, Ale, and other Liquors, for the Increase of His Majesty's Revenue during His Life*, certain other Rates, Impositions, Duties, and Charges on Beer and Ale, Cyder and other Liquors, were granted and made payable to His said Majesty during His Life: And whereas the said last-mentioned Rates and Duties having been continued and granted to Their Majesties King *William* the Third and Queen *Mary*, for Their Lives and the Life of the Survivor, and further continued and granted to Her Majesty Queen *Anne* for and during Her Life, and by the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign extended to and made payable in *Scotland*, and having been from Time to Time further continued, are now, by the Demise of His late Majesty King *George* the Fourth, expired: And whereas by an Act passed in the Sixth Year of the Reign of His late
6 G. 4. c. 58. Majesty King *George* the Fourth, intituled *An Act for providing equivalent Rates of Excise Duties, Allowances, and Drawbacks on Beer and Malt and Spirits made in* Scotland *or* Ireland, *according to the Measure of the new Imperial Standard Gallon*, certain Duties, Allowances, Drawbacks, and Bounties were granted on Beer brewed or made in *Great Britain* for Sale: And whereas by another Act passed in the Sixth Year of His said late Majesty's Reign, intituled
6 G. 4. c. 37. *An Act for the future Assimilation of the Duties of Excise upon Sweets or Made Wines, upon Mead and Metheglin, upon Vinegar, and upon Cyder and Perry, in* Great Britain *and* Ireland, *and to continue the Duties of Excise on Sweets or Made Wines in* Great Britain *until the Fifth Day of* January *One thousand eight hundred and twenty-six*, certain Duties of Excise were imposed on Cyder and Perry made in any Part of the United Kingdom of *Great Britain* and *Ireland* for Sale: And whereas it is expedient that all the said Duties on Cyder in and throughout the United Kingdom, and all the said Duties, Allowances, Drawbacks, and Bounties on Beer and Ale in *Great Britain*, should cease and determine, save and except so much thereof as are the Hereditary Duties on Cyder, Beer, and Ale in *Great Britain*, granted by the said first-recited Act to His Majesty King *Charles* the Second, His Heirs and Successors for ever, and extended to *Scotland* by the said recited Act of Union, and now vested in His present Majesty; and as to the said Hereditary Duties, to make Provision that the same shall not during the Life of His present Majesty be levied, collected, or

raised, nor the Laws for securing and collecting the same be enforced: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and thirty, all the Rates and Duties and Drawbacks payable on Cyder in the United Kingdom, and all the Rates, Duties, Allowances, Drawbacks, and Bounties now payable on Beer or Ale brewed or made in *Great Britain*, (except the said Hereditary Duties of Excise on Cyder, Beer, and Ale granted to His said Majesty King *Charles* the Second, and herein-after more particularly specified,) shall be repealed, cease and determine, and be no longer levied or collected, paid or payable.

From 10 Oct. 1830, the Duties and Drawbacks on Cyder and Beer, except the Hereditary Duties, to cease.

II. And be it further enacted, That the Hereditary Duties on Beer and Ale and Cyder brewed or made for Sale in *Great Britain*, granted by the said first-recited Act to His said Majesty King *Charles* the Second, His Heirs and Successors, (that is to say,) For and upon every Barrel of Beer or Ale above Six Shillings the Barrel, brewed by the common Brewer or any other Person or Persons who doth or shall sell or tap out Beer or Ale publicly or privately, to be paid by the common Brewer or by such other Person or Persons respectively, and so proportionably for a greater or lesser Quantity, a Duty of One Shilling and Three-pence: For every Barrel of Six Shillings Beer or Ale, or under, brewed by the common Brewer or any other Person or Persons who doth or shall sell or tap out such Beer or Ale publicly or privately, to be paid by the said common Brewer or such other Person or Persons respectively as aforesaid, and so proportionably for a greater or lesser Quantity, Three-pence: For all Cyder and Perry made and sold by Retail, upon every Hogshead, to be paid by the Retailer thereof, and so proportionably for a greater or lesser Measure, One Shilling and Three-pence: Shall from and after the said Tenth Day of *October* One thousand eight hundred and thirty cease to be collected and paid, and shall not during the Life of His present Majesty be levied, collected, or demanded, or be paid or payable; and the several Acts, Enactments, Clauses, Provisions, and Regulations in the said recited Act of the Reign of His said Majesty King *Charles* the Second, or in any other Act or Acts contained, for securing, levying, or collecting the Duties on Beer and Ale and Cyder, save and except the Acts herein-after continued in force, shall not, from and after the said Tenth Day of *October* One thousand eight hundred and thirty, and during the Life of His present Majesty, be enforced or executed, save and except for the Purpose of recovering any Duties incurred or charged before the said Tenth Day of *October* One thousand eight hundred and thirty, or any Arrears thereof, or any Fine, Penalty, or Forfeiture for the Breach of any of the said Clauses, Enactments, Provisions, or Regulations, committed previous to the said Tenth Day of *October* One thousand eight hundred and thirty; but all such Duties and Arrears, Penalties, Fines, and Forfeitures, shall and may be recovered, levied, enforced, and applied in the same Manner, and by

During His Majesty's Life the Hereditary Duties on Cyder and Beer not to be collected;

nor the Laws for collecting and securing the Duties enforced.

by the same Means, Powers, and Authorities, as if this Act had not been passed.

The Acts 56 G. 3. c. 58. and 1&2G. 4. c. 22. continued in force, except so much as relates to Certificates and Increases in Stock.

III. Provided always, and be it further enacted, That an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal an Act made in the Fifty-first Year of His present Majesty, for allowing the Manufacture and Use of a Liquor prepared from Sugar for colouring Porter*, and an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for securing the Payment of the Duties on Ale and Beer brewed in* Great Britain, except so much thereof as relates to Certificates and Increases in Stock, shall be and remain in full Force and Effect; and all Brewers of Beer or Ale for Sale, and all and every Person who shall be licensed under any Act as a Brewer, Dealer in, or Retailer of Beer, shall continue subject to the Provisions, Enactments, and Regulations in the said last-mentioned Acts contained; and the said Provisions, Enactments, and Regulations shall continue to be respectively executed and put in force by the Commissioners and Officers of Excise in *Great Britain*, as fully and effectually as if this Act had not been passed.

On the Demise of His present Majesty, the Hereditary Duties on Cyder and Beer to revive and be collected.

IV. Provided always, and be it further enacted, That on and immediately after the Demise of His Majesty, whom God long preserve, the said Hereditary Duties of Excise on Beer and Ale and Cyder granted by the said first-recited Act to His said Majesty King *Charles* the Second, His Heirs and Successors, shall revive and be again payable, collected, and paid in *Great Britain*; and it shall and may be lawful for the Commissioners of Excise for the Time being, and they are hereby required, on and immediately after the Demise of His present Majesty, to cause the said Hereditary Duties to be again charged, levied, collected, and paid in and throughout *Great Britain*, to and for the Use of His Majesty's Successors, and to cause all the Laws, Clauses, Enactments, Provisions, Powers, Authorities, and Regulations for raising, levying, securing, and collecting the Duties on Beer and Ale and Cyder to be again put in force and execution for levying and collecting the said Hereditary Duties in the same Manner as if this Act had not been passed; and the said Commissioners of Excise shall and they are hereby required to keep true and particular Accounts of all the said Duties so raised, levied, and collected by them for the Use of His Majesty's Successors.

In lieu of the Hereditary Duties on Cyder and Beer, the Sums of 348,000*l.* in England, and 6,500*l.* in Scotland, to be annually

V. And whereas the said Hereditary Duties of Excise on Beer, Ale, and Cyder granted by the said first-recited Act of the Reign of King *Charles* the Second are now vested in His present Majesty, and are subject to certain Charges thereon, and it is necessary to make Provision for supplying the Deficiency which will occur by the said Hereditary Duties on Beer and Ale and Cyder not being collected during His Majesty's Life: And whereas by a Medium of Ten Years, computed from the Fifth Day of *January* One thousand eight hundred and twenty to the Fifth Day of *January* One thousand eight

eight hundred and thirty, the Sum of Three hundred and forty-eight thousand Pounds is taken to be the Medium of the annual Produce of the said Hereditary Duties on Beer and Ale and on Cyder in *England*, and the Sum of Six thousand five hundred Pounds the Medium of the annual Produce of the said Hereditary Duties of Excise on Beer and Ale and on Cyder in *Scotland*: To the end therefore that neither His Majesty, nor any other Person or Persons, may receive any Prejudice by the Nonpayment of the said Hereditary Duties, be it enacted, That from and after the Tenth Day of *October* One thousand eight hundred and thirty, there shall be paid to His Majesty during his natural Life, which God long preserve, the clear yearly Sums of Three hundred and forty-eight thousand Pounds out of the Revenues of Excise arising in *England*, and Six thousand five hundred Pounds out of the Revenues of Excise arising in that Part of *Great Britain* called *Scotland*, for and in lieu of what has annually been the Amount of the said Hereditary Duties.

paid to His Majesty.

VI. And be it further enacted, That the said Sums of Three hundred and forty-eight thousand Pounds and Six thousand five hundred Pounds shall be paid by Four quarterly Payments, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in each Year, out of the Revenues of Excise arising in *England* and *Scotland* respectively, in preference to all other Payments, Charges of Management excepted, and shall be paid over to the Account of and for the Use of His Majesty; and the said Sums of Money respectively shall be and the same are hereby declared to be subject and liable to and to be charged with all such Charges and Sums of Money as the Hereditary Duties, in lieu of which such Payments shall be made, are subject and liable to and are charged with.

The Sums to be paid by quarterly Payments, and subjected to the same Charges as the Hereditary Duties on Cyder and Beer were subject to.

VII. And whereas the Duty imposed by Law on every Licence to be taken out by any Brewer or Brewers of Beer for Sale is rated according to the Quantity of Beer brewed by the Person or Persons taking out the Licence: And whereas, when the Duties on Beer shall cease to be collected in *Great Britain*, no Account will be taken by the Officers of Excise of the Quantity of Beer brewed for Sale, but of the Malt only used and employed by every Brewer or Brewers for that Purpose; be it therefore enacted, That all and every Brewer and Brewers of Beer for Sale in *Great Britain* and *Ireland* shall, for the Purpose of fixing and regulating the Rate and Amount of Duty to be paid by such Brewer or Brewers for the Licence to be taken out by him, her, or them, under an Act passed in the Sixth Year of His late Majesty's Reign, intituled *An Act to repeal several Duties on Excise Licences in* Great Britain *and* Ireland, *and to impose other Duties in lieu thereof, and to amend the Laws for granting Excise Licences*, be deemed to have brewed One Barrel of Beer for every Two Bushels of Malt used or employed by such Brewer or Brewers in brewing; and shall for every Licence to be taken out by him, her, or them, for brewing Beer for Sale, pay such Amount of Duty, according to the Rate by the said Act imposed on Brewers of other than

After 10th Octob. 1830, Brewers to pay their Licence Duty in proportion to the Quantity of Malt which they shall use in brewing.

6 G. 4. c. 81.

than Table Beer, as shall be correspondent to the Quantity of Beer which he, she, or they shall be deemed to have brewed as aforesaid.

Bond not to be required of Brewers on taking out Licence.

VIII. And be it enacted, That it shall and may be lawful for any Person or Persons in *Great Britain* or *Ireland* to take out a Licence to brew Beer for Sale under the Provisions of the said recited Act of the Sixth Year of His late Majesty's Reign, without giving or being required to give any Bond or other Security as a Brewer or Brewers of Beer; any thing in the said recited Act or any other Act to the contrary notwithstanding.

Drawback of 5*s.* on every Barrel of Beer exported.

IX. And be it further enacted, That from and after the said Tenth Day of *October*, One thousand eight hundred and thirty, there shall be granted and paid for and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity of Beer brewed or made by any entered Brewer of Beer for Sale in the United Kingdom, and which shall be duly exported from any Part of the United Kingdom to Foreign Parts as Merchandize, a Drawback of Five Shillings.

Shipping Notice to be given on exporting Beer.

X. And be it further enacted, That it shall and may be lawful for any Person or Persons to export and ship as Merchandize, from any Port in the United Kingdom to Foreign Parts, any Beer or Ale brewed or made by any entered and licensed Brewer of Beer for Sale in the United Kingdom, such Beer or Ale being in Casks of not less than Thirty-six Gallons, and in the brewing whereof not less than Two Bushels of Malt shall have been used to every Thirty-six Gallons of such Beer or Ale; and all and every Person intending to export such Beer or Ale from any Part of the United Kingdom shall give to the Excise Port Surveyor, or Officer of Excise acting as Port Surveyor, at the Port of Shipment, Notice thereof, in manner directed and required by an Act passed in the Fifty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the making more effectual Provision for the Prevention of Smuggling, and rewarding Officers and Persons making Seizures and capturing Smuggling Vessels, for licensing Luggers employed in the* North Sea *Fishery, and obliging Exporters of exciseable Goods on Drawbacks to give Notice of Shipment;* and the said Export Surveyor, or other Officer of Excise acting as Export Surveyor, having examined or caused to be examined the Beer or Ale so intended to be shipped, and of the shipping whereof such Notice shall have been given, or otherwise satisfied himself with respect to the same, shall sign his Name to the said Notice as having received the same, and shall transmit the said Notice so signed to the proper Officer of Customs in whose Presence such Beer or Ale is to be shipped, and the said Officer of Customs, having seen the said Beer or Ale duly shipped in his Presence in and on board of the Ship or Vessel specified in the Notice, shall certify the due Shipment thereof and the Day when the same was shipped on the said Notice, and shall return the said Notice, with such Certificate of Shipment thereon, to the Excise Export Surveyor, or Officer of

56G.3. c.104.

Excise acting as Export Surveyor; and the said Export Surveyor or Officer of Excise having received such Notice, with such Certificate of Shipment thereon, shall, at the Expiration of One Calendar Month from the Date of such Shipment, make out and deliver to the Exporter, or his Clerk or Manager, a Debenture, expressing the Quantity of Beer so shipped, and the Amount of Drawback payable in respect thereof.

Oath to be made on Debenture for obtaining Drawback.

XI. And be it further enacted, That before any such Debenture shall be paid, the Exporter of the Beer or Ale therein mentioned, or his principal Clerk or Manager, together with the Brewer thereof, or his Foreman or Manager, shall make Oath on the said Debenture before the said Export Surveyor, or Officer of Excise acting as such, that the said Quantity of Beer or Ale was put on board the Ship, and exported therein as Merchandize to be spent beyond the Seas, and no Part thereof for the Ship's Use, and that according to the best of his and their Knowledge and Belief the same has been brewed wholly from Malt which has been charged with and paid the Duty of Two Shillings and Seven-pence for every Bushel thereof, and shall also specify in such Oath the Time when and the Place where, and the Brewer, being an entered and licensed Brewer for Sale, by whom such Beer or Ale was brewed, and that the Quantity of Malt employed in the brewing of such Beer was in the Proportion of not less than Two Bushels Imperial Standard Bushel Measure for every Thirty-six Gallons thereof; and if any such Oath shall be found to be false or untrue in any Particular or Respect, the Person making the false or untrue Statement shall forfeit and lose the Sum of Two hundred Pounds, and the Debenture on which the same shall be made shall be and become null and void, and if unpaid, Payment thereof shall be withheld, or if paid, the Amount thereof shall and may be recovered back, in the same Manner and by the same Means and Methods as any Duty of Excise or Penalty may be sued for and recovered under any Law or Laws of Excise.

Collector of Excise, on Debenture being produced to him, to pay the Amount.

XII. And be it further enacted, That every such Debenture, together with the said Oath thereon, being produced to the Collector of Excise within whose Collection such Beer or Ale shall have been exported, the said Collector shall forthwith, out of the Monies in his Hands, pay the Amount thereof to the Person or Persons who shall appear by the said Debenture to be entitled to the same.

Where a Landing Certificate is required, it shall be produced before Payment of Debenture.

XIII. Provided always, and be it further enacted, That where by any Law or Laws of Excise in force a Certificate of the due landing of any Goods or Commodities at the Place to which the same shall have been exported on Drawback as Merchandize shall be required, such Certificate of the due landing of any Ale or Beer exported to any such Place shall be produced to the Collector of Excise before any such Debenture shall be made out or paid.

XIV. And

All Laws in force in Great Britain relating to the Export of exciseable Commodities on Drawbacks to apply to the Export of Beer.

XIV. And be it further enacted, That all the Laws, Clauses, Enactments, Powers, Authorities, Rules, Regulations, Fines, Penalties, and Forfeitures in force in *Great Britain* before the passing of this Act, relating to the Export of any exciseable Goods or Commodities on Drawbacks, shall, as far as the same shall be applicable, extend to and be deemed and construed to extend to the Exportation of Beer and Ale under the Authority of this Act from any Part of the United Kingdom, and shall be observed, enforced, and put in execution with respect to such Exportation, and the Payment of the Drawback hereby granted, as fully and effectually as if the same were repeated and re-enacted in this Act.

Brewers to make Entry of all Premises and Utensils used for brewing or storing of Beer and Malt.

XV. And be it further enacted, That every Brewer of Beer for Sale in *Great Britain* shall make a true and particular Entry in Writing of every Store, Building, Room, and Place, and of every Mash Tun, by him or her intended to be used in or for the brewing or keeping of Worts or Beer, at the nearest Office of Excise, specifying in such Entry the particular Use or Purpose for which such Store, Building, Room, or Place shall be intended to be used, and shall also specify and distinguish in such Entry every Building or Place in which he or she shall intend to store and keep the Malt and the Hops to be used by him or her in the brewing of Beer, and shall store and deposit all such Malt and all such Hops in one or more of such entered Buildings so specified to be used for keeping Malt or for keeping Hops respectively, and shall not use or employ any Malt or Hops which shall not have been so stored and deposited in and taken from one or more of such Buildings or Places so specified and distinguished; and if any such Brewer shall use any Store, Building, Room, or Place, or Mash Tun, without having made such Entry thereof as aforesaid, in or for the brewing or keeping of Worts or Beer, or shall store or keep any Malt or Hops to be used by him or her in the brewing of Beer in any Building or Place which shall not have been specified and distinguished in such Entry as aforesaid, or shall use or employ any Malt or Hops in the brewing of Beer which shall not have been stored and deposited in and taken from an entered Building or Place so specified and distinguished as aforesaid, every such Brewer so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all Worts or Beer which shall be found in any Store, Building, Room, or Place, or Mash Tun, not specified and distinguished in such Entry as aforesaid, and the Casks containing the same, and all Malt or Hops which shall be found in any Store, Building, Room, or Place entered or used for the brewing of Beer, other than Malt taken from one or more of such Buildings or Places so specified and distinguished, for the Purpose of being employed in the brewing of Beer, shall be forfeited, and shall and may be seized by any Officer of Excise.

Penalty, 200*l.* and Forfeiture of Utensils, &c.

Officers may enter any Buildings or Places used by Brewers

XVI. And be it further enacted, That it shall be lawful for any Officer of Excise, and every Person in aid and assistance of such Officer, at any Time, to enter into and remain so long as such Officer may think fit, for the Purposes herein-after mentioned, in any

any Building or Place belonging to or used by any such Brewer, or by any Dealer in or Retailer of Beer, for the brewing or keeping of Worts or Beer, or for the storing or keeping of Malt or Hops; and it shall be lawful for such Officer of Excise, and any Person in aid and assistance of such Officer, to inspect any such Building or Place, and to take such Account as such Officer shall deem necessary, of all Worts, Beer, and Malt and Hops therein, and of all other Matters and Things, and of all Vessels, Utensils, Goods, and Materials belonging to or in anywise appertaining to the Trade or Business of such Brewer or Dealer in or Retailer of Beer; and if any such Brewer or Dealer or Retailer shall oppose, molest, obstruct, or hinder any Officer of Excise, or any Person acting in the Aid or Assistance of such Officer, in entering into or remaining in any such Building or Place as aforesaid, or in inspecting the same, or taking any Account as aforesaid, or in the due Execution of the Duty of such Officer, every such Brewer or Dealer or Retailer so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

for the Purpose of inspecting or taking an Account of Beer or Malt therein.

Penalty on obstructing Officers, &c. 100*l.*

XVII. And be it further enacted, That it shall not be lawful for any Brewer of Beer for Sale in the United Kingdom to have in his or her Brewery, or in any Part of the entered Premises, or in any Mill connected with such Brewery or entered Premises, any raw or unmalted Corn or Grain whatsoever, either whole or unground, or ground or bruised; and that all raw and unmalted Corn or Grain, whether whole or unground, or ground or bruised, which shall be found in such Brewery or Premises or Mill, and all malted Corn or Grain, whether whole or unground, or ground or bruised, with which such raw unmalted Corn or Grain may have been or shall be mixed, shall be forfeited, and may be seized by any Officer of Excise, together with all Sacks, Casks, Vessels, or Packages in which such raw or unmalted Corn or Grain shall and may be contained, or in which such raw and unmalted Corn or Grain, and the malted Corn or Grain with which the same may or shall have been mixed, shall or may be contained; and every Brewer shall for every such Offence forfeit the Sum of Two hundred Pounds.

No Brewer to have raw or unmalted Grain in his Brewery Premises.

XVIII. And whereas it may occur that between the passing of this Act and the said Tenth Day of *October* One thousand eight hundred and thirty, when the Duties on Beer are to cease and determine, Persons other than Brewers now licensed to brew Beer for Sale may brew Quantities of Beer without the Payment of any Duty thereon, and after the said Tenth Day of *October* One thousand eight hundred and thirty may bring forward such Beer for Sale, and sell the same for Consumption; and Persons who are now entered and licensed as Brewers of Beer, and are thereby subject to the Payment of Duty on all Beer brewed by them prior to the said Tenth Day of *October* One thousand eight hundred and thirty, may be thereby greatly injured and damnified, unless Provision is made for allowing them to brew Beer, not to be sold or consumed until after the said Tenth Day of *October* One thousand eight hundred and thirty, free of Duty; be it therefore enacted, That it shall and may

For allowing Beer, not intended to be sent into Consumption until after 10th Day of October 1830, to be brewed free of Duty.

be lawful for any Brewer of Beer, from Time to Time, Twenty-four Hours before commencing to brew any Guile of Beer, to give Notice in Writing to the proper Officer of Excise, that the particular Guile of Beer then about to be brewed is for Beer not intended to be sold or sent into Consumption until after the Tenth Day of *October* One thousand eight hundred and thirty, and that he is desirous to brew the same without Payment of Duty, in which said Notice shall be specified the particular Vats or Casks into which such Beer is intended to be tunned and kept; and all such Beer shall be brewed under all the same Laws and Regulations as are now in force, and an Account taken thereof in the same Manner as if the Duty thereon was to be paid, levied, and collected; and when and as soon as such Beer shall be brewed and made, the same shall be run into the particular Vats or Casks specified in the Notice, and the Officer of Excise shall forthwith take an Account of all such Beer, and of the Duty which would be payable thereon; and all the Beer so brewed under such Notice shall be stored and deposited in a separate Store-room or Cellar, to be approved of by the Commissioners of Excise, and under the Locks and Keys of the Officer of Excise, or otherwise secured in such Manner as the Commissioners of Excise shall direct, and to their Satisfaction; and when and as often as any other Brewing of Beer shall be made by any such Brewer, to be stored or secured Duty-free, the Officer of Excise shall take an Account of all the Quantity which shall have been previously so stored or secured; and all Beer so brewed without Payment of Duty shall be kept so stored, and shall not be sold or sent into Consumption, or any Part thereof tapped or drawn off, until the Eleventh Day of *October* One thousand eight hundred and thirty; and on the Tenth Day of *October* One thousand eight hundred and thirty the proper Officers of Excise shall take an Account of all the said Beer which shall have been so brewed Duty-free, and stored or secured as aforesaid, and if upon such Account the whole Quantity of such Beer shall be found in the Stock of the Brewer who shall have brewed the same, deposited or secured as aforesaid, and the Officers of Excise shall be satisfied that it is the same Beer which was so brewed, and that no Part thereof has been sent into Consumption, or any Addition made thereto, or any Alteration therein, it shall and may be lawful for the Commissioners of Excise, and they are hereby authorized and empowered, to forego and remit the Charge of Duty thereon, and to allow the same to be sold without the Payment of such Duty.

If any Beer brewed as Duty-free shall be sent into Consumption prior to 10th of October 1830, or the Regulations not complied with, Brewer to be charged and pay Duty

XIX. Provided always, That if any Beer which shall be brewed under the Regulations aforesaid, as not to be sent into Consumption until after the said Tenth Day of *October* One thousand eight hundred and thirty, shall not at any Time previous thereto be so stored in such separate Store or Cellar, or otherwise secured according to the Directions of the Commissioners of Excise, and to their Satisfaction, or if any Brewer shall tap any Vat or Cask in which the same shall be tunned or kept, or shall sell or send out any Part thereof, or shall make any Addition to or Alteration therein by putting any other Beer in any such Vat or Cask, or if on the said Tenth Day of *October* One thousand eight hundred and thirty, or at any Time

Time previous thereto, the Officers of Excise shall not find all such Beer in the Stock of such Brewer so stored or secured and unaltered, or if any such Brewer shall use or practise any Art or Device to deceive the Officer of Excise in taking an Account of his Stock, or to remove any of the said Beer, or to evade any Part of the Duty on Beer with which previous to the said Tenth Day of *October* One thousand eight hundred and thirty he might or would be chargeable, then and in any such Case it shall and may be lawful for the Commissioners of Excise, and they are hereby authorized and required, to demand and collect the Duties charged on all the Beer brewed by such Brewer previous to the said Tenth Day of *October* One thousand eight hundred and thirty; and the said Brewer shall be liable to the Payment of all such Duties, and the same shall and may be levied, collected, and enforced under the Laws, Provisions, and Regulations now in force for collecting and securing the Duties on Beer.

on all the Beer brewed by him.

XX. And whereas it is expedient to provide for continuing the Drawback now payable on Beer or Ale exported, until the Fifth Day of *April* One thousand eight hundred and thirty-one, on such Beer as shall have been brewed in *Great Britain*, and charged with Duty, and on which Duty has been paid, and which may be exported before the said Day; be it therefore enacted, That until the Fifth Day of *April* One thousand eight hundred and thirty-one, the Drawback of Fourteen Shillings and Two-pence, now payable on the Exportation of every Barrel of Beer, shall be paid and payable on the Exportation of all Beer and Ale which shall have been brewed and charged with Duty before the Fourteenth Day of *April* One thousand eight hundred and thirty, and which any Brewer of Beer shall have declared to be intended for Exportation, and of which an Account shall have been taken under any Orders or Directions of the Lords Commissioners of His Majesty's Treasury, or of the Commissioners of Excise, issued for that Purpose, and which shall have been kept stored in Vats or Casks of not less than Eighteen hundred Gallons Imperial Standard Gallon Measure Content, and according to the Rules and Regulations contained in such Orders or Directions: Provided always, that such Drawback shall not be allowed on any Beer which shall not have been kept and stored in Casks of the full Size of Eighteen hundred Gallons, nor in any Case where the Rules and Regulations contained in any such Orders or Directions shall not have been in every Respect observed and fulfilled.

Beer brewed and exported before the 14th of April 1830, to be entitled to Drawback on Exportation until 5th of April 1831.

XXI. And be it further enacted, That all such Beer shall be exported, and the Drawbacks thereon paid, under the Laws, Enactments, and Regulations relating to the Exportation of Beer in force before the passing of this Act: Provided always, that every Exporter of such Beer intending to claim the said Drawback of Fourteen Shillings and Two-pence shall, on every Exportation thereof after the Tenth Day of *October* One thousand eight hundred and thirty, in addition to the other Oaths now required to be taken by the Exporter or Shipper of Beer, make Oath that the Beer about to be exported is Beer brewed before the Fourteenth Day of

Regulations as to the Exportation of such Beer.

of *April* One thousand eight hundred and thirty, and which was declared for Exportation as allowed under the Orders or Directions of the Lords Commissioners of the Treasury or Commissioners of Excise.

Nothing in the Act 1 W. 4. c. 64. to affect the Licences required by Law to be taken out by Brewers and Dealers in Beer, and by Publicans.

XXII. And whereas an Act was passed in this present Session of Parliament, intituled *An Act to permit the general Sale of Beer and Cyder by Retail in* England, whereby the Commissioners of Excise are authorized and empowered to grant Licences to Persons to retail Ale or Beer or Cyder without such Persons obtaining or producing a Certificate or Authority granted to such Persons by Justices of the Peace or Magistrates; be it further enacted, That nothing in the said Act or in this or any other Act contained shall extend or be deemed or construed to extend in any Manner to interfere with the Licences now required by Law to be taken out and renewed by Brewers of and Dealers in Beer, and Persons keeping common Inns, Alehouses, and Victualling Houses, and selling Beer, Ale, and Cyder, and Wines and Spirituous Liquors, by Retail, to be drank or consumed on the Premises, but that all and every Brewers and Brewer of and Dealer in Beer shall take out such Licences as are now by Law required to be taken out by such Brewers and Dealers respectively; and every Person who shall sell any Beer or Ale in Quantities not less than Four Gallons and a Half or Two Dozen reputed Quart Bottles, to be drank or consumed elsewhere than on the Premises where sold, shall be deemed a Dealer in Beer; and every Person who shall keep a common Inn, Alehouse, or Victualling House, and sell Beer, Ale, and Cyder, and Wines and Spirituous Liquors, by Retail, to be drank and consumed on the Premises, shall take out the several Licences now by Law required, under the same Rules, Regulations, Restrictions, Powers, Authorities, Provisions, Penalties, and Forfeitures as such Licences are now granted and issued under.

Nothing in this Act to interfere with the Rights of Magistrates, Trustees, &c. in Cities, Burghs, and Places in Scotland, to collect their local Duties on Beer and Ale.

XXIII. And whereas in the City of *Edinburgh*, and in other Cities, Towns, Burghs, and Places in that Part of *Great Britain* called *Scotland*, by several Statutes heretofore passed, certain Rates, Impositions, and Duties are imposed and collected on Beer and Ale, to and for the Use of the said Cities, Towns, Burghs, and Places, and are appropriated and applied to certain Purposes specified in the several Statutes imposing the same, for the levying and collecting of which said Rates, Impositions, and Duties the Charges made by His Majesty's Officers for levying and collecting such Revenue of Excise, or an Abstract thereof under the Hands of the Officers of Excise, have been available to the Magistrates of the City of *Edinburgh*, and the other Cities, Towns, Burghs, and other Places aforesaid, for levying and collecting the said Rates, Impositions, and Duties: And whereas by reason of the Duties on Beer and Ale payable to His Majesty ceasing to be collected under the Provisions of this Act, the Magistrates of the said Cities, Towns, Burghs, and other Places will be deprived of the Means heretofore used for raising, collecting, and levying the said Rates, Impositions, and Duties; and it is therefore expedient, in order to prevent any Injury or Loss to any of the said Cities, Towns, Burghs, or

Places in which such Rates, Impositions, or Duties are payable, to provide Means for the due Collection and Payment thereof; be it therefore enacted, That nothing in this Act contained shall affect or be deemed or construed to affect, alter, or in any Manner interfere with the Right or Title of the Magistrates of the City of *Edinburgh*, or of any other City, Town, Burgh, or Place in *Scotland*, or of any Trustees or Body Corporate, or other Person or Persons having Right by any of the Statutes aforesaid to collect, receive, raise, and recover any Rates, Impositions, or Duties now payable on Beer or Ale within the same; and that in order to the due Collection, raising, levying, and recovering thereof, every Brewer of Beer or Ale, liable to the Payment of any such Rates, Impositions, and Duties in the City of *Edinburgh*, or in any other City, Town, Burgh, or Place, shall, from and after the Tenth Day of *October* One thousand eight hundred and thirty, at the End of every Month make a true and particular Entry or Return to the Magistrates, or the Trustees, Body Corporate, or other Person or Persons having the Right to collect such Rates, Impositions, and Duties within the City, Town, Burgh, or Place in which such Brewer shall reside or carry on his Brewery, or to such Person or Persons as the Magistrates, Trustees, Body Corporate, or other Person or Persons having such Right shall appoint, of all Beer or Ale which such Brewer shall have brewed or made in that Month preceding; and such Brewer shall also at the End of every Month make a true and particular Entry or Return to the Magistrates or the Trustees or Body Corporate or Person or Persons having Right as aforesaid, or to such other Person or Persons as shall be appointed in that Behalf as aforesaid, of all Beer or Ale which such Brewer shall have sold without the Limits of the City, Town, Burgh, or Place in which such Brewer shall reside or carry on his Brewery, or within which such Votes, Duties, and Impositions shall be payable; and every such Entry or Return shall, if required by the Magistrate or other Person or Persons aforesaid, be verified on the Oath or Affirmation (which Oath or Affirmation any One of the Magistrates of the City, Town, Burgh, or Place is hereby authorized and empowered to administer) of the said Brewer, or his principal Workman or Servant; and it shall and may be lawful for the Magistrates, Trustees, Body Corporate, or other Person or Persons having such Right as aforesaid, within every City, Town, Burgh, and Place respectively, to collect, recover, levy, raise, and enforce the Payment of the said Rates, Impositions, and Duties payable within such City, Town, Burgh, and Place respectively, according to the Quantity of Beer or Ale mentioned in such Two several Entries or Returns, in the Manner, and by the same Means, Powers, Penalties and Forfeitures, and Authorities, as they are now empowered to raise, levy, collect, and enforce the same, or as any other Rates, Impositions, and Duties payable within any such City, Town, Burgh, or Place may be raised, levied, collected, and enforced, or by ordinary Action in any competent Court: Provided always, that all and every Brewer and other Person and Persons shall remain entitled to and shall receive all such Allowances and Drawbacks, in respect to such Rates, Impositions, and Duties, as they are now entitled to.

Brewers in such Places to make monthly Returns of the Beer brewed by them.

Penalty on Brewers neglecting or refusing to make Returns, or making false Returns.

XXIV. And be it further enacted, That if any Brewer of Beer or Ale shall neglect or refuse to make any such Entry or Return, or to verify the same when required so to do, or shall make any false or untrue Entry or Return, every such Brewer shall forfeit and pay the Sum of Twenty Pounds, to be recovered and applied in the same Manner and under the same Powers, Provisions, and Authorities as any other Penalty or Forfeiture may be recovered or applied under any Act or Acts of Parliament granting the Rates, Impositions, and Duties on Beer and Ale in the City, Town, Burgh, or Place in which such Refusal or Neglect shall occur, or such false or untrue Entry be made.

Act may be altered this Session.

XXV. And be it further enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia, until the Twenty-fifth Day of *June* One thousand eight hundred and thirty-one.

[16th *July* 1830.]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expences of the Regular Militia, and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*; and also for making Allowances of Reduced Pay in certain Cases to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, while disembodied; and also an Allowance to Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia, who have been or may be reduced, and to Adjutants, Surgeons, and Quartermasters after long Service; be it therefore

therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Secretary at War for the Time being may and shall, and he is hereby authorized, empowered, and required to cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the Rates following; (that is to say,)

Secretary at War to issue the Money required for the Pay of the Regular Milita.

Rates of Pay.

For each Adjutant, Eight Shillings *per Diem*:

For each Serjeant Major, having been Serjeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence *per Diem*:

For each Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Ten-pence *per Diem*:

For each Serjeant, having been a Colour Serjeant in One of the Provisional Battalions of Militia, Two Shillings *per Diem*:

For each Serjeant doing the Duty of Quartermaster Serjeant, One Shilling and Ten-pence *per Diem*:

For each Serjeant, One Shilling and Sixpence *per Diem*:

For each Drum Major, where One is appointed in Corps consisting of Eight or more Companies, One Shilling and Sixpence *per Diem*:

For each Drummer, One Shilling *per Diem*:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major, Serjeant, Drum Major, or Drummer shall be absent on Furlough or Licence, he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

Clothing.

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major and Serjeant doing the Duty of Quartermaster Serjeant; Three Pounds for each Serjeant; Two Pounds Eighteen Shillings and Seven-pence for each Drum Major and Drummer; and One Pound Seventeen Shillings for each Private Man; and so in proportion, in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expence of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been notified by the Secretary at War: Provided always, that such Serjeant Majors, Serjeants acting as Quartermaster Serjeants, Drum Majors, Serjeants, and Drummers, as were serving on the Disembodied Staff on the First Day of *June* One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed Once in Two Years; and that such as shall have been subsequently appointed to serve on the Disembodied Staff shall be entitled to be clothed Once in Four Years:

Contingent Fund.

And also at the Rate of One Penny *per* Month for each Private Man and Drummer or Fifer, for defraying the contingent Expences of each Regiment, Battalion, or Corps.

Adjutant, &c. to reside where the Arms of the Corps are kept.

II. And be it further enacted, That every Adjutant, Non-commissioned Officer, and Drummer on the Staff of the Regular Militia, when disembodied, shall be constantly resident within the City, Town, or Place where the Arms of the Corps to which they belong are kept, or within such reasonable Distance of the Depôt as shall be sanctioned by the Secretary at War: Provided always, that every such Adjutant, Non-commissioned Officer, and Drummer shall forfeit his Pay for any Period during which he shall be absent, except when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers and Drummers at the same Time, except in Case of certified Sickness.

Adjutant to have Charge of the Arms and Clothing; and to issue the Money for contingent Expences, on an Order signed by the Colonel.

Balance to form a Stock Purse.

III. And be it further enacted, That the Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores under the Superintendance of the Colonel or Commandant; and shall, out of the Allowance of One Penny *per* Month for each Private Man and Drummer, directed by this Act to be issued and paid for defraying the contingent Expences of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expences, upon an Order in Writing signed by the Colonel or other Commandant; and after Payment of such Sums as aforesaid, he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands, (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps,) and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts so allowed and signed shall be and are hereby directed to be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

In Absence of the Adjutant, the Serjeants, &c. to be under the Command of the Serjeant Major.

IV. And be it further enacted, That in the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Arms of any Corps of Militia when disembodied are kept, or during any Vacancy in the Appointment of Adjutant, the Serjeants and Drummers shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns, and perform such other Acts, as are by Law required from the Adjutant.

Militia, when called out for Training or Exercise, entitled to Pay.

V. And be it further enacted, That the Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia when embodied.

VI. And

Allowances to Subalterns and Surgeons Mates and Assistant Surgeons.

VI. And whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces of *Great Britain* and *Ireland*, while disembodied, under certain Regulations; be it further enacted, That the following Allowances shall be made and paid, to the Amount, under the Restrictions, and in the Manner herein-after expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held a Commission in the Militia of *Great Britain* or *Ireland* and was serving therein when the Corps was disembodied, and also to every Supernumerary Subaltern Officer and Assistant Surgeon of any Regiment of Militia in *Ireland* which was augmented during the War and which has been reduced to its original Establishment; (that is to say,)

To a Lieutenant, Two Shillings and Sixpence *per Diem*:
To an Ensign, Two Shillings *per Diem*:
And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem*:

Provided always, that all Officers of the Militia serving with the Rank of Captain-Lieutenants shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant shall be deemed to be Ensigns, for the Purposes of this Act; and provided always, that such Allowances shall not be received for the Days during which the Regiment, Battalion, or Corps to which such Officers belong is assembled for Training and Exercise.

VII. Provided also, and be it further enacted, That no Person who is or shall during the Continuance of this Act become possessed of such an Estate or Income as would by Law qualify him to hold the Commission of Captain of a Company in the said Militia, or who is or shall be appointed Adjutant in any Regiment, Battalion, or Corps of Militia, nor any Officer on Full Pay of the Navy, Army, or Marines, shall have or be in any way entitled to the said Allowances, or any Part or Share thereof; any thing herein contained to the contrary thereof in anywise notwithstanding.

Oath to be taken to entitle to such Allowances.

VIII. And be it further enacted, That the Subaltern Officers, Surgeons Mates, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe an Oath before some one of His Majesty's Justices of the Peace in the United Kingdom, or before some one of His Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls Abroad, in the Words or to the Effect following; (*videlicet*,)

Form of Oath.

'I *A. B.* do swear, That I belonged to the
' of Militia when the same was disembodied, and that I have
' continued to serve therein from that Time until the
' Day of inclusive, as a [Lieutenant, Ensign,
' Surgeon's Mate, *or* Assistant Surgeon, *as the Case may be*]; and
' that I was not in my own Right or in the Right of my Wife, during
' any Part of the Period for which I now claim to receive my
' Allowance,

'Allowance, that is to say, from the Day of
' to the Day of both
'inclusive, in the actual Possession and Enjoyment or Receipt of the
'Rents and Profits of Lands, Tenements, or Hereditaments of such
'an annual Value above Reprizes as would qualify me to hold a
'Commission of Captain of a Company in the Militia; that I was
'not in Holy Orders; that I have not during the above Period held
'the Appointment of Adjutant, Surgeon, Paymaster, or Quarter-
'master in any Regiment, Battalion, or Corps of Militia; that I did
'not hold or enjoy, nor did any Person for me hold or enjoy, during
'the said Period, any Place, Office, or Employment of Profit, Civil
'or Military, under the Crown or any other Government, besides
'the Allowance of a Day now claimed, except
'my Half Pay as a [of the Army *or* Navy *or*
'Marines, *or* of a Provisional Battalion formed from the Militia,
'*as the Case may be*], and any Pay and Allowances from the
' to the both Days inclusive, during which
'Period the Corps was assembled for Training and Exercise.
' So help me GOD.'

Which Oath, so taken and subscribed, shall be produced to the Paymaster General of His Majesty's Forces, by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

Allowances to Officers reduced in 1829.

IX. And be it further enacted, That the Allowances granted to certain Paymasters, Surgeons, and Quartermasters of the Militia of *Great Britain* and *Ireland*, on their being reduced in pursuance of an Act passed in the last Session of Parliament, shall be issued and paid, under the Restrictions and in the Manner hereinafter expressed, during the Continuance of this Act: Provided always, that such Allowances shall not be received for the Days during which the Corps to which the Officers belong shall be assembled for Training and Exercise.

Oath to be taken by Officers claiming Allowances.

X. And be it further enacted, That every Paymaster, Surgeon, and Quartermaster of Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe an Oath before some one of His Majesty's Justices of the Peace in the United Kingdom, or before some one of His Majesty's Ministers, Secretaries of Embassy or of Legation, or Consuls Abroad, in the Words or to the Effect following; (*videlicet*,)

Form of Oath.

'I *A. B.* do swear, That I was serving as [Paymaster, Surgeon, *or*
'Quartermaster, *as the Case may be*,] in the of
'Militia, at the Reduction of the Staff of the said Militia in One
'thousand eight hundred and twenty-nine; and that I was not in
'Holy Orders during any Part of the Period for which I now claim
'to receive an Allowance, that is to say, from the Day
'of One thousand eight hundred and to the
' Day of One thousand eight hundred and
' ; and that I did not hold or enjoy, nor did any Person
'for me hold or enjoy, during any Part of the said Period, any
'Place, Office, or Employment of Profit, Civil or Military, under

'the Crown or any other Government, besides the Allowance of
' a Day, now claimed, except my Half Pay as a
' [of the Army *or* Navy *or* Marines, *or* of a Provisional Battalion
' formed from the Militia, *as the Case may be*,] and except my Pay
' and Allowances from the to the both
' Days inclusive, during which Period the Militia
' was assembled for Training and Exercise. So help me GOD.'

Which Oath, so taken and subscribed, shall be produced to the Paymaster General of His Majesty's Forces by the Paymaster, Surgeon, or Quartermaster claiming the Allowance: Provided always, that any Paymaster, Surgeon, or Quartermaster receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of His Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Out-Pension to Reduced Corporals and Drummers not to be received while serving.

XI. And whereas certain Corporals and Drummers of the Militia of the United Kingdom of *Great Britain* and *Ireland* were, in pursuance of the Provision of an Act passed during the last Session of Parliament, struck off the Establishment of the Disembodied Staff, and placed on the Out-Pension of Five-pence a Day, although not unfit for further Service; be it further enacted, That no Corporal or Drummer so placed on the Pension of Five-pence *per Diem* shall be entitled to receive the said Pension for any Period during which he shall be serving in the Militia.

Subalterns, Mates, &c. to attend the Exercise, &c.

XII. And be it further enacted, That every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to the aforesaid Benefits of this Act, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs, during the whole of the Time it shall be assembled for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as the rest of his Pay, and every Part thereof, which may be due for the current Year in which he shall neglect or refuse to attend; and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, claiming to be entitled to such Allowance, shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowance and every Part thereof

Commanding Officer may grant Leave of Absence.

thereof in like Manner as if he had attended during the whole of the said Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned), to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

If the Regiment be not called out before the Time fixed for the Payment, the Allowance shall be paid, on taking the Oath, without Certificate of Attendance.

XIII. Provided always, and be it further enacted, That in case any Regiment, Battalion, or Corps of Militia, after the disembodying thereof, and before the Time fixed for the Payment of the said Allowances, shall not be called out for the Exercise and Training thereof, every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming within the aforesaid Benefits of this Act, who shall have taken and subscribed the Oath hereinbefore mentioned before any such Justice of the Peace as aforesaid, shall be entitled to the said Allowance as if he had regularly attended the Exercise and Training of such Regiment, Battalion, or Corps during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished.

Allowances to be paid quarterly.

XIV. And be it further enacted, That upon such Oaths and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their Exercise as aforesaid, upon the said Oaths being produced to the Paymaster General, it shall be lawful for the Paymaster General, and he is hereby authorized and required, to pay to the said Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons, their respective Allowances above mentioned, for the usual quarterly or other proper Periods, without any Deduction whatsoever; the Oaths and Certificates before mentioned to be by him preserved and produced as Vouchers for the Payments.

On Neglect of Attendance, Subalterns, &c. shall forfeit their Claim to the Allowance.

XV. And be it further enacted, That the Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons of the Militia, entitled or claiming to be entitled to the aforesaid Allowances, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong, whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon, at such Times or for such Occasions as may be required of them in pursuance of the Laws now in force respecting the Militia when disembodied, each and every such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon shall, on such Neglect or Refusal being certified to the Secretary at War, and, in respect of the Militia of *Great Britain*, to the Lord Lieutenant of the County, by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Paymaster, Surgeon, Quartermaster, Subaltern, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claims to the said Allowance and every Part thereof, and shall also be considered as having resigned

resigned and vacated his Commission to all Intents and Purposes whatsoever.

Supernumerary Lieutenants, &c. succeeding to Vacancies shall be entitled to the Pay and Allowances under this Act.

XVI. And be it further enacted, That whenever any Supernumerary Lieutenant, Ensign, or Assistant Surgeon of any Regiment of Militia in *Ireland*, which shall have been augmented during War, and which shall have been reduced to its original Establishment, shall have succeeded or shall succeed to any Vacancy which shall have occurred or shall occur in any such Regiment respectively, such Lieutenant, Ensign, or Assistant Surgeon shall, from the Time of his so succeeding, be entitled to such Pay and Allowances under this Act, and in like Manner, and to the like Amount, and under the like Restrictions and Regulations, as any Lieutenant, Ensign, or Assistant Surgeon who shall have been serving on the original Establishment of such Regiment at the Time of the disembodying thereof; and such Lieutenant, Ensign, or Assistant Surgeon so succeeding shall be deemed to have belonged to such Regiment when the same was disembodied, and to have continued to have served therein from that Time, and shall in all respects from and after his so succeeding be subject to the Regulations in this Act contained with respect to any Lieutenant, Ensign, or Assistant Surgeon of the said Militia who shall claim and receive the Pay and Allowances under this Act.

Allowance not to be paid while the Militia is embodied.

XVII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid, to the said Allowance, or any Part thereof, during the Time the Militia to which he belongs shall be embodied or ordered out on actual Service.

Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.

XVIII. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of His Majesty's Forces or Navy or Marines, and serving in the Militia shall and may and he is hereby empowered to receive and take the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving and taking any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided always, that such Person shall, in the Oath to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants, &c. Non-commissioned Officers or Privates, not

XIX. Provided always, and be it further enacted, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular

Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

to lose their Right to Chelsea Pensions, &c.

XX. And be it further enacted, That there shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expence of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training; and also an Allowance of Two-pence *per* Week for each of the Non-commissioned Officers and Drummers of each Regiment on the Disembodied Staff at Head Quarters, for the Expence of necessary Medicines and Attendance given to the said Non-commissioned Officers and Drummers while such Regiment is not called out for Training and Exercise.

Allowance to be made for Medicines.

XXI. And be it further enacted, That every Adjutant of Regular Militia who shall have been appointed as such before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall have served faithfully, either in His Majesty's Regular Forces, or in the Regular or Local Militia, for the full Term of Twenty Years in the whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, who shall have been or shall be by Age or Infirmity rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster General shall and he is hereby authorized to pay to such Person, an Allowance at the Rate of Eight Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under His Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases His Majesty's Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary at War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided always, that any Adjutant who

Adjutants appointed before 24 Dec. 1814, entitled to receive, after a Service of Twenty Years, if unfit for further Service, an Allowance of 8s. per Day;

provided they do not hold certain other Appointments.

Adjutants appointed since 24 Dec. 1814, entitled to receive after Thirty Years Service, &c. an Allowance of 6s. per Day.

shall have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in His Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who have been or shall be by Age or Infirmity rendered unfit for further Service, shall, upon producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance.

Right to Half Pay reserved.

Allowances to Quartermasters.

XXII. And whereas certain Allowances have been granted to Quartermasters of the Regular Militia who have been by Age or Infirmity rendered unfit for further Service; be it further enacted, That such Allowances shall be issued and paid during the Continuance of this Act, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who have been by Age or Infirmity rendered unfit for further Service.

Allowances to Surgeons.

XXIII. And whereas certain Allowances have been granted to Surgeons of Regular Militia who have by Age or Infirmity been rendered unfit for further Service; be it further enacted, That such Allowances shall be issued and paid during the Continuance of this Act in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who have by Age or Infirmity been rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Right to Half Pay reserved.

Reduced Adjutants to receive 4s. per Day till 24 June 1831.

XXIV. And be it further enacted, That in case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion, or Corps, from the Twenty-fifth Day of *March* One thousand eight hundred and thirty, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Twenty-fourth Day of *June* One thousand eight hundred and thirty-one, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who have by Age or Infirmity been rendered unfit for further Service: Provided always, that no such Reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army,

Right to Half Pay reserved.

Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XXV. And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third, which Allowances have been continued, and as to such Adjutants augmented to Four Shillings *per Diem*; be it therefore enacted, That all such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Twenty-fifth Day of *March* One thousand eight hundred and thirty to the Twenty-fifth Day of *June* One thousand eight hundred and thirty-one.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26G.3. c.107.

Proviso.

XXVI. And be it further enacted, That every Reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years aforesaid, and continued by any subsequent Acts or by this Act, may receive and take such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable, together with such Reduced Allowance, under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, or under the Provisions of the aforesaid Acts of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third: Provided always, that no such Reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under His Majesty other than such as aforesaid, or under any other Government, or any Civil Office or Employment under His Majesty or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity.

Pay, &c. to be issued under Directions of the Secretary at War.

XXVII. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, Allowances, and contingent and other Expences for the Regular Militia when disembodied as aforesaid, shall be issued and paid, under the Direction of the Secretary at War, according to such Regulations as have been or shall be established on that Head.

Bills drawn for Pay, &c. may be on unstamped Paper.

XXVIII. And be it further enacted, That all Bills, Drafts, and Orders drawn for the Pay or Allowances of the Regular Militia when disembodied under this Act, may be or shall be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

XXIX. Provided always, and be it further enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

XXX. And

Expence of House for depositing Arms and Stores of the Militia in Ireland, &c. to be defrayed by the County.

XXX. And be it further enacted, That the Hire of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing, or other Stores, and for the Residence and Accommodation of the Adjutant belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, shall be defrayed by the County; and the necessary Sum for that Purpose shall be raised by the Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or, in the Absence of such Chief Secretary by the Under Secretary for the Military Department, and specifying the Rent agreed to be paid for the same; which Certificate shall be transmitted by such Chief Secretary to the Clerk of the Crown for such County, or at any Time prior to the first Day of the Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the first Day of the Presenting Term: Provided that in no Case any greater Rent than Fifty Pounds Currency of the United Kingdom of *Great Britain* and *Ireland* shall be presented by such Grand Jury for the annual Rent of such Place.

Provision as to Amount of Rent.

Lord Lieutenant may order the Arms of Militia of Ireland to be deposited in the Ordnance Stores in Dublin.

XXXI. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being (if he or they shall see sufficient Cause for so doing) to order and direct that the Arms, Accoutrements, and other Stores, or any Part thereof, belonging to any Regiment or Battalion of the said Militia, shall, at any Time while such Regiment or Battalion shall not be embodied or in actual Service, be conveyed to and deposited and kept in any of His Majesty's Ordnance Stores in the City of *Dublin*, or to and in any such Ordnance Store, or to and in any other Place of Security in any other Part in *Ireland*, as he or they shall from Time to Time order or direct, and under such Rules and Regulations as he or they shall think fit and proper in that Behalf.

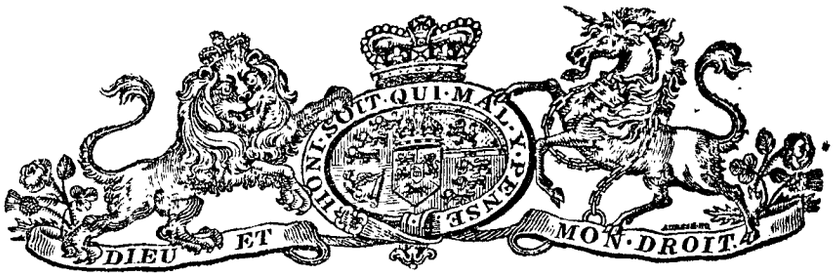
Provisions of this Act relating to Counties shall extend to Ridings, Stewartries, &c.

XXXII. And be it further enacted, That all Provisions, Directions, Clauses, Matters, and Things in this Act contained, relating to Counties and to Regiments of Militia respectively, shall extend and be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*, as fully and effectually as if they were respectively and severally repeated in every such Provision, Direction, Clause, and with relation to every such Matter or Thing.

Continuance of Act.

XXXIII. And be it further enacted, That this Act shall continue in force until the Twenty-fifth Day of *June* One thousand eight hundred and thirty-one.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LIII.

An Act to amend so much of an Act of the Thirty-first Year of His late Majesty, for making more effectual Provision for the Government of the Province of *Quebec*. [16th *July* 1830.]

WHEREAS by an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled 'An Act for 'making more effectual Provision for the Government of the Province 'of* Quebec *in* North America,' *and to make further Provision for the Government of the said Province*, it is amongst other Things enacted, that no Person shall be summoned to the Legislative Council in either of the Provinces of *Upper Canada* and *Lower Canada* who shall not be of the full Age of Twenty-one Years, and a natural-born Subject of His Majesty, or a Subject of His Majesty naturalized by Act of the *British* Parliament, or a Subject of His Majesty having become such by the Conquest and Cession of the Province of *Canada;* and it is thereby further provided, that no Person shall be capable of voting at any Election of a Member to serve in the Legislative Assembly in either of the said Provinces of *Upper Canada* or *Lower Canada*, or of being elected at any such Election, who shall not be of the full Age of Twenty-one Years, and a natural-born Subject of His Majesty, or a Subject of His Majesty's naturalized by an Act of the *British* Parliament, or a Subject of His Majesty 31 G. 3. c. 31.

Majesty having become such by the Conquest and Cession of the Province of *Canada*: And whereas it is expedient that Persons naturalized by any Act of the Legislative Council and Assembly of the Province of *Lower Canada* assembled by His Majesty, His Heirs or Successors, should be enabled to be summoned to the Legislative Council of the said Province of *Lower Canada*, and of voting at the Elections of Members to serve in the Legislative Assembly of the said Province, or of being elected at any such Election: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons naturalized by any Act of the Legislative Council and Assembly of the Province of *Lower Canada*, assented to by His Majesty, His Heirs or Successors, shall henceforth be and be deemed competent in the Law to be summoned to the Legislative Council of the said Province of *Lower Canada*, and to vote at the Elections of Members to serve in the Legislative Assembly of the said Province, and to be elected at any such Election.

Persons naturalized may sit in Assembly of Lower Canada and in Legislative Council.

II. Provided nevertheless, and be it further enacted, That whenever any Bill which has been passed by the Legislative Council and by the House of Assembly in the said Province of *Lower Canada*, for the Naturalization of any Persons or Person, shall be presented for His Majesty's Assent to the Governor or Lieutenant Governor of the said Province, or to the Person administering His Majesty's Government therein, such Governor or Lieutenant Governor, or Person administering the Government, shall and he is hereby required to reserve every such Bill for the Signification of His Majesty's Pleasure thereon; and no such Bill shall have any Force or Authority within the said Province of *Lower Canada* until the Governor or Lieutenant Governor, or Person administering the Government, shall signify, either by Speech or Message to the Legislative Council and Assembly of the said Province, or by Proclamation, that such Bill has been laid before His Majesty in Council, and that His Majesty has been pleased to assent to the same; and no such Bill shall have any Force or Authority within the said Province unless His Majesty's Assent thereto shall have been so signified as aforesaid within the Space of Two Years from the Day on which such Bill shall have been presented for His Majesty's Assent to the Governor, Lieutenant Governor, or Person administering the Government.

Act of Naturalization not to have Force or Authority unless His Majesty's Assent be signified to the same.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LIV.

An Act to revive, continue, and amend several Acts relating to the Fisheries. [16th *July* 1830.]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the further Encouragement and better Regulation of the* British *White Herring Fishery, until the First Day of* June *One thousand eight hundred and thirteen, and from thence to the End of the then next Session of Parliament;* and by another Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, intituled *An Act to continue and amend several Acts relating to the* British *White Herring Fishery;* and by another Act passed in the First and Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal certain Bounties granted for the Encouragement of the Deep Sea* British *White Herring Fishery, and to make further Regulations relating to the said Fishery,* certain Regulations were made respecting the *British* White Herring Fisheries; and by the said Acts various Bounties were granted for the Encouragement of the said Fisheries: And whereas by the said Act passed in the First and Second Year of the Reign of His said late Majesty, and by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend*

48 G. 3. c. 110.

55 G. 3. c. 94.

1 & 2 G. 4. c. 79.

5 G. 4. c. 64.

amend the several Acts for the Encouragement and Improvement of the British *and* Irish *Fisheries;* and by another Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, 7 G. 4. c. 34. intituled *An Act to amend an Act of the Fifth Year of His present Majesty, for amending the several Acts for the Encouragement and Improvement of the* British *and* Irish *Fisheries*, the said Bounties, or such of them as were then existing, have been repealed, such Repeal having taken effect upon and from the Fifth Day of *April* One thousand eight hundred and thirty: And whereas Doubts may arise whether the Repeal of the Bounties aforesaid hath not rendered ineffectual certain of the Provisions and Regulations of the before-mentioned Acts of the Forty-eighth and Fifty-fifth Years of the Reign of His said late Majesty King *George* the Third, and of the First and Second Years of the Reign of His late Majesty King *George* the Fourth, relative to the placing a Mark or Character on Barrels containing Herrings properly cured, and it is expedient to remove such Doubts; be it therefore enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That nothing in the said Acts passed in the Fifth and Seventh Years of the Reign of His late Majesty King *George* the Fourth hath repealed or rendered ineffectual so much of the said Acts passed in the Forty-eighth and Fifty-fifth Years of the Reign of His late Majesty King *George* the Third, and of the First and Second Year of the Reign of His late Majesty King *George* the Fourth, as relates to the placing a Mark or Character on Barrels or Half Barrels containing Herrings properly cured, save only so far as respects the Payment of any Bounties therein mentioned; and that, save and except so far as respects the said Bounties, the said Acts passed in the Forty-eighth and Fifty-fifth Years of the Reign of His said late Majesty King *George* the Third, and in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, with reference to the placing a Mark or Character on Barrels containing Herrings properly cured, and every other Provision and Regulation of the said Acts which were in force on the said Fifth Day of *April* One thousand eight hundred and thirty, are and is and shall be in full Force, Virtue, and Effect, as though the said Acts so passed in the Fifth and Seventh Years of the Reign of His late Majesty King *George* the Fourth had not been made.

Nothing in the Acts 5 G. 4. c. 64. and 7 G. 4. c. 34. has repealed the Powers of the recited Acts of 48 and 55 G. 3. and 1 & 2. G. 4. so far as they relate to marking or branding Barrels of Herrings.

Old Barrels employed in the Fisheries with an old official Brand to be forfeited, with their Contents.

II. And be it further enacted, That if any Person or Persons shall ship or put on board any Ship, Vessel, or Boat about to be employed in the said Fisheries any old Barrels or any old Half Barrels theretofore employed in the said Fisheries which at the Time of such Shipment shall bear any official Brand theretofore affixed thereupon under and in pursuance of the said Acts or any of them, or of this present Act, or shall pack any Herrings or other Fish in any such old Barrels or Half Barrels, all such old Barrels or any old Half Barrels, and the Herrings or other Fish, shall be forfeited.

III. And

The Declaration required to be made on Oath by recited Acts of 48 and 55 G. 3. may be made on Affirmation.

III. And whereas by the said Acts passed in the Forty-eighth and Fifty-fifth Years of the Reign of His late Majesty King *George* the Third various Oaths were required to be taken for the Protection of His Majesty's Revenue, and it is no longer necessary that, with a view to that Object, such Oaths should continue to be administered; be it therefore enacted, That all Persons who, under and by virtue of the said recited Acts of the Forty-eighth and Fifty-fifth Years of the Reign of His late Majesty King *George* the Third, were required to make any such Declaration or Statement on Oath, shall henceforth be admitted to make such Declaration or Statement on their, his, or her Affirmation, and without Oath; and if any Person shall wilfully and corruptly make any such Declaration or Statement falsely, every such Person shall incur and become liable to a Fine of not less than Ten Pounds nor more than Twenty Pounds.

Penalty for false Declaration.

The Powers of regulating the Trade of the Cod and Ling Fisheries vested in the Commissioners by 1 G. 4. c. 103. revived, except so far as respects Bounties.

IV. And whereas by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the further Encouragement and Improvement of the* British *Fisheries*, certain Bounties were granted for the Encouragement of the *British* Cod and Ling Fisheries, which Bounties, by virtue of the said recited Acts passed in the Fifth and in the Seventh Years of the Reign of His late Majesty, have ceased and determined: And whereas by the said Act passed in the First Year of the Reign of His late Majesty, certain Provisions were made, empowering the Commissioners of the Herring Fishery to make certain Regulations respecting the said Cod and Ling Fisheries: And whereas by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the several Acts for the Encouragement and Improvement of the* British *and* Irish *Fisheries*, the said Act of the First Year of His said late Majesty was repealed; and it is expedient that the Powers vested as aforesaid in the said Commissioners (save so far only as respects the Payment of the said Bounties) should be revived, and be again vested in the said Commissioners; be it therefore enacted, That so much of the said Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth as authorized the said Commissioners to make such Regulations as aforesaid shall be and the same is hereby revived, and shall be continued in force, save only so far as respects the Payment of the said Bounties; any thing in the said Act of the Fifth Year of His said Majesty's Reign to the contrary notwithstanding.

Recovery of Forfeitures under this Act.

V. And be it further enacted, That all Penalties and Forfeitures hereby imposed shall be sued for, recovered, and applied by such and the same Persons, in such and the same Manner, and to such and the same Purposes, as any Penalties and Forfeitures incurred under the said Acts of the Forty-eighth and Fifty-fifth Years of the Reign of His said late Majesty King *George* the Third may be sued for, recovered, mitigated, and applied.

The Powers granted to the Commis-

VI. And whereas by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for*

sioners of the Irish Fisheries by 59 G. 3. c. 109. shall be vested in the Directors of Inland Navigation.

for the further Encouragement and Improvement of the Irish *Fisheries*, the Lord Lieutenant or other Chief Governor or Governors of *Ireland* was empowered to nominate and appoint Persons to be Commissioners specially for overseeing, directing, and improving the Fisheries of *Ireland*, to be called Commissioners of the *Irish* Fisheries, for the Purpose of executing the Provisions of the said Act for the Period in the said Act mentioned; and by an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth all the Powers and Authorities given by the said Act of the Fifty-ninth Year of His said late Majesty's Reign were continued in force until the Fifth Day of *April* One thousand eight hundred and thirty: And whereas for the Purposes herein-after mentioned it is expedient that all the Powers of the said Commissioners of the *Irish* Fisheries should be transferred to the Directors of all Works relating to Inland Navigation in *Ireland*, for the Time being, appointed under and by virtue of an Act of the Parliament of *Ireland*, passed in the Fortieth Year of the Reign of His said late Majesty King *George* the Third, for promoting Inland Navigation in *Ireland*; be it therefore enacted, That from and after the passing of this Act all and every Right, Title, and Interest of the said Commissioners of the *Irish* Fisheries, and all Powers and Authorities vested in them in or by the said recited Act of the Fifty-ninth Year of His said late Majesty, or in or by any other Act or Acts in force immediately before the said Fifth Day of *April* One thousand eight hundred and thirty, shall be transferred and conveyed to and the same are hereby vested in and shall be exercised by the Directors of all Works relating to Inland Navigation in *Ireland*, for the Time being; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, to nominate and appoint any Person or Persons to be Director or Directors of all Works relating to Inland Navigation, for the Purposes of this Act, in addition to the Number of Directors of the said Works at the Time of the passing of this Act: Provided always, that any such Director or Directors so to be nominated and appointed shall not be entitled to any Salary, Allowance, or Emolument whatsoever as such Director or Directors.

Lord Lieutenant may appoint additional Directors;

who shall not be entitled to any Salary.

Lord Lieutenant may employ Persons for completing Piers begun, or for receiving Repayment of Loans, &c.

VII. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Time being, to appoint and employ any Persons heretofore appointed under the said recited Act of the Fifty-ninth Year of His late Majesty, or any other Act relating to the *Irish* Fisheries, or to appoint and employ any other Persons, for the completing the Erection of any Pier which shall have been begun, or for the Repayment of any Loans which shall have been advanced for the Encouragement of the *Irish* Fisheries, at any Time previous to the Fifth Day of *April* One thousand eight hundred and thirty, under any Act or Acts in force immediately before that Day, and in general for the managing and concluding of all Concerns, Matters, and Things which shall have been commenced under the Authority of the said Commissioners of the *Irish* Fisheries, and which shall not have been brought to a Conclusion before the passing of this Act; and every such Person so to be appointed and employed shall obey such Instruc-

tions and Orders and Directions as he shall from Time to Time receive from the said Directors of Inland Navigation, or any Two of them, of whom One shall be a Person appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Purposes of this Act, signified under their Hands, or under the Hand of their Secretary or other proper Officer for that Purpose.

Lord Lieutenant may, for Five Years, order Sums to be issued out of Consolidated Fund for the Purposes of this Act.

VIII. And whereas by the said recited Act passed in the Fifty-ninth Year of the Reign of His said late Majesty the Lord Lieutenant or other Chief Governor or Governors of *Ireland* was authorized to direct the Payment of any Sum or Sums of Money, not exceeding Eight thousand Pounds in any One Year, for the Encouragement of the Coast Fisheries of *Ireland*, and also Salaries and Allowances to the Officers and Persons employed in and about the Execution of the said Act; be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time during the Period of Five Years from and after the Fifth Day of *April* One thousand eight hundred and thirty, from Time to Time to direct any Sum or Sums of Money, not exceeding the Sum of Four thousand five hundred Pounds in the First Year, and not exceeding the Sum of Three thousand five hundred Pounds in the Second Year, and not exceeding the Sum of Two thousand five hundred Pounds in the Third Year, and not exceeding the Sum of One thousand five hundred Pounds in the Fourth Year, and not exceeding the Sum of One thousand Pounds in the Fifth Year of the said Period of Five Years, to be issued and paid to the Directors of Inland Navigation out of the Revenue of the Consolidated Fund arising in *Ireland*, to be applied in completing any Piers which shall have been begun before the said Fifth Day of *April* One thousand eight hundred and thirty, and in paying such Officers and Persons as shall be necessarily employed in and about or relating to the Completion of such Piers, or in relation to the Repayment of any Loans made and lent before the said Fifth Day of *April* One thousand eight hundred and thirty, or in or about any Matters relating to the said Fisheries, and requisite to be done for fulfilling the Purposes of this Act.

Directors of Inland Navigation shall have all the Powers of Commissioners of the Fisheries.

IX. And be it further enacted, That the Directors of Inland Navigation, or any Two of them, of whom One shall be a Person appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Purposes of this Act, shall and may have, use, and exercise all such Powers and Authorities, and shall and may do all such Matters and Things, in and about the Execution of this Act, and for the carrying this Act into execution, as the Commissioners of the *Irish* Fisheries might or could have had, used, exercised, or done under any Act or Acts in force relating to the *Irish* Fisheries before the said Fifth Day of *April* One thousand eight hundred and thirty; and that all such Acts shall remain and continue in force for the Purposes of this Act, and for the Payment of all Bounties which may have become payable at any Time before the said Fifth Day of *April* One thousand eight hundred and thirty, and

for the Performance of all Matters and Things relating to such Bounties: Provided always, that nothing in this Act contained shall extend or be construed to extend to revive or continue the Bounties by the said Acts granted, or any of them.

Not to revive the Bounties.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LV.

An Act to reduce the Rate of Bounties payable upon the Seizure of Slaves. [16th *July* 1830.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Slave Trade:* And by another Act, passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to carry into execution a Convention between His Majesty and the Emperor of Brazil, for the Regulation and final Abolition of the* African *Slave Trade,* certain Bounties were directed to be paid for the Seizure of Slaves; as in the said Acts are more particularly specified and set forth: And whereas it is expedient to reduce the different Rates of Bounties payable under the said Acts; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for all Slaves seized from and after the Fifth Day of *October* One thousand eight hundred and thirty, the different Rates of Bounties heretofore granted under the before-recited Acts shall be and the same are hereby repealed; and in lieu of the former Bounties there shall be paid, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* to the Seizor, or to the Seizor and Governor respectively, in those Cases where the Governor of any of His Majesty's Colonies or Plantations is or may be entitled, a Bounty of Five Pounds each of lawful

5 G. 4. c. 113.

7 & 8 G. 4. c. 74.

Bounties granted by former Acts repealed, and other Bounties granted in lieu thereof.

Money of *Great Britain*, upon every Man, Woman, and Child Slave seized and condemned as forfeited or delivered over agreeably to the several Provisions of the above-recited Acts.

Where Slaves die before Decree of Forfeiture is pronounced, a Moiety of the Bounty may be allowed.

II. Provided always, and be it further enacted, That where any Slaves shall be seized after the said Fifth Day of *October* One thousand eight hundred and thirty, and shall be considered liable to Forfeiture under the Provisions of the Treaties with *Portugal*, *Spain*, the *Netherlands*, and the *Brazils*, but who shall not have been pronounced forfeited in consequence of Death, Sickness, or other inevitable Circumstance, it shall and may be lawful for the Commissioners of His Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due if the said Slaves had been proceeded against and pronounced forfeited.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LVI.

An Act to amend an Act of the Fifty-third Year of King *George* the Third, for the Appointment of Commissioners for the Regulation of the several Endowed Schools of public and private Foundation in *Ireland*. [16th *July* 1830.]

WHEREAS by an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Appointment of Commissioners for the Regulation of the several Endowed Schools of public and private Foundation in* Ireland, it was among other Things enacted, that it should be lawful for the Commissioners under the said recited Act to direct and declare that any Two or more Dioceses in *Ireland* should be united into One District, and to direct that the Free Schools of such Two or more Dioceses should be consolidated into One Free School, in manner directed and provided for by the said recited Act: And whereas it may be expedient in some Cases where the Free Schools of any Two or more Dioceses may have been united and consolidated under the said recited Act, that the Commissioners for the Time being under the said Acts should have Power to dissolve the Union of such Free Schools, and to restore or establish the same in their former Diocese; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Par- 53 G.3. c.107.

Commissioners, with Consent of Lord Lieutenant, may disunite any Free School and restore it to its former Diocese.

liament assembled, and by the Authority of the same, That at any Time after the passing of this Act it shall be lawful to and for the said Commissioners for the Time being under the said Act, in all Cases in which they shall deem it expedient so to do, by and with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant of the said Commissioners under Hand and Seal, to direct and declare that any Free School of any Diocese which shall or may have been united with any Free School of any other Diocese or Dioceses, and consolidated into One Free School, may be disunited therefrom, and that such Union and Consolidation may be dissolved; and to direct that any such Free School, so disunited, may be thenceforth kept and held in the same Place in the Diocese where such Free School was kept and held before such Union and Consolidation, or in such other Place in the said Diocese as the Commissioners, with such Consent and Approbation as aforesaid, shall in and by such Warrant direct for such Purpose; and thereupon the Salary which was payable to the Schoolmaster of such School before the same was so consolidated and united with any other Free School shall from thenceforth be payable only to the Schoolmaster of such School so disunited, for his own sole Use; and such Schoolmaster of such disunited School shall have the same Right to such Salary, and the same Remedies and Advantages for or in respect of the raising, collecting, and enforcing the same, as such Schoolmaster could or might have had in case such Union had never taken place under the said recited Act, and as the Schoolmaster of such School had at any Time before the passing of the said recited Act.

Former Salary shall then be again paid to the Schoolmaster.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LVII.

An Act to explain and amend an Act of the Fifty-fifth Year of King *George* the Third, for the Payment of Costs and Charges to Prosecutors and Witnesses in Cases of Felony in *Ireland*.

[16th *July* 1830.]

WHEREAS by an Act passed in the Fifty-fifth Year of King *George* the Third, intituled *An Act for the Payment of Costs and Charges to Prosecutors and Witnesses in Cases of Felony, in* Ireland, Provision is made for the Payment to Persons appearing on Recognizance or Subpœna to give Evidence as to any Felony in *Ireland* of such Sum of Money as to the Court before which such Person shall appear shall seem reasonable, not exceeding the Expences *bonâ fide* incurred by such Person, and also for the Payment, under certain Circumstances, of Compensation to such Persons for Trouble and Loss of Time: And whereas Doubts have been entertained whether the said Act extends to Prosecutions directed or conducted by or under the Direction of His Majesty's Attorney General in *Ireland*, or other Law Officers of His Majesty; be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, 55 G. 3. c. 91.

Provisions of recited Act extended to all Crown Prosecutions.

and by the Authority of the same, That the Provisions of the said Act shall extend and shall be deemed and construed to extend to all Cases, as well of Prosecutions commenced or carried on by or under the Direction of His Majesty's Attorney General in *Ireland*, or any other Law Officer of His Majesty, as of any other Prosecution whatsoever.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LVIII.

An Act for regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law. [23d *July* 1830.]

WHEREAS it may be necessary for the better Administration of Justice that Amendments and Alterations should be made in the Process, Practice, Pleadings, and other Proceedings of His Majesty's Superior Courts of Common Law in *England* and *Wales*, or that the Offices belonging to the said Courts should be subjected to new Regulations, whereby the Amount of Fees and Emoluments which some of the Officers are or may be entitled to demand and receive in respect of the Duties of their Offices may be diminished or wholly taken away, and the Amount of Fees and Emoluments which others are or may be entitled so to demand and receive increased: And whereas it is fit that Compensation should be made for any such Loss, and that the Public should have the Benefit of any such Increase of Fees and Emoluments: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, except as herein-after mentioned, every Person who on the Twenty-fourth Day of *May* One thousand eight hundred and thirty shall have held any Office in or belonging to any of the said Courts, in Fee, or for any Term either of Life or Years, or who shall then have been appointed to any other Office or Employment in or belonging to any of

Persons holding Offices in the Superior Courts shall render to the Commissioners under this Act an Ac-

count of their Receipts for the last Ten Years.

of the said Courts, by virtue of any Right of Appointment heretofore exercised by any of the Judges of His Majesty's Courts of Record at *Westminster*, and every Cursitor of the Court of Chancery, and every Person holding any Office connected with the passing of Fines and Recoveries, who shall have been appointed on or before the said Twenty-fourth Day of *May*, shall forthwith, after the passing of this Act, make or cause to be made out, and render to the Commissioners to be appointed by virtue of this Act as herein-after mentioned, an Account in Writing, in such Form and with such Particulars of Receipt and otherwise as the said Commissioners shall require, of all such lawful Fees and Emoluments as aforesaid which shall have become due in respect of every such Office or Employment as aforesaid, and of all Disbursements and Allowances made thereout, and Charges affecting the same, in each of the Ten Years next preceding the said Twenty-fourth Day of *May* One thousand eight hundred and thirty.

Officers entitled to and who claimed Compensation under 6 G. 4. c. 96. to render an Account for Ten Years before the passing of that Act.

II. Provided always, and be it further enacted, That every Officer who claimed and was entitled to Compensation in respect of any Fees or Emoluments under the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for preventing frivolous Writs of Error*, shall forthwith after the passing of this Act make out and render to the Commissioners to be appointed by virtue of this Act such Account in Writing as herein-before directed, so far as regards such Fees and Emoluments, in respect of the Ten Years mentioned in the said recited Act, in lieu of the Ten Years above mentioned; and that so much of the said recited Act as relates to the inquiring and ascertaining and certifying and paying the Amount of the Diminution or Excess in the same Act mentioned shall, from and after the last Day of *Trinity* Term One thousand eight hundred and thirty, cease and be of no Effect, except so far as regards the Compensation due to such Persons under the said recited Act up to the said last Day of *Trinity* Term One thousand eight hundred and thirty.

If an Account cannot be rendered, the Reason to be stated.

III. And be it further enacted, That in case any Person holding any such Office or Employment as aforesaid shall not be able to make or cause to be made out any such Account as aforesaid for every one of the Years in respect of which the same is to be so rendered, he shall specify in the Account which he shall render the Reason why he is not able to render an Account for any such Year or Years as may be omitted.

Commissioners may examine the Legality, &c. of the Fees upon Oath.

IV. And be it further enacted, That the said Commissioners shall be authorized to inquire into and examine as well the Legality as the Amount of the Fees and Emoluments contained in any such Account as aforesaid, and of all Disbursements and Allowances made in respect thereof, and of all Charges affecting the same; and to require Proof to be made, upon Oath, either personally or in Writing, of any Matter into which such Commissioners may think it necessary to inquire; which Oath may be administered either by such Commissioners, or any Three of them, or by a Judge or Commissioner of any of the said Courts.

Commissioners shall ascertain the Value of all such Offices according to an Average of Ten Years;

V. And be it further enacted, That the said Commissioners shall ascertain the gross and net annual Value, according to a fair Average of the said Ten Years as aforesaid, of the lawful Fees and Emoluments of all such Offices and Employments as aforesaid; and in every Case wherein it shall happen that the Fees and Emoluments relating to any particular Year or Years shall have been omitted by any Officer in the Account rendered to the said Commissioners, and they shall be satisfied with the Reason given for such Omission, the said Commissioners shall estimate the gross and net annual Value of the Office or Employment of such Officer according to the best of their Judgment; and in order to assist them in forming a Judgment therein, they shall have regard to the Amount of Fees and Emoluments which in the Year or Years omitted have been received by other Officers, the Fees and Emoluments of whose Offices or Employments may, in the Opinion of the said Commissioners, afford a fair Ground of Comparison.

and certify the same to the Treasury.

VI. And be it further enacted, That when the said Commissioners shall have ascertained to their Satisfaction the gross and net annual Value of the Fees and Emoluments of such Offices and Employments, or any of them, computed as aforesaid, together with the Particulars of the Disbursements, Allowances, and Charges constituting the Difference between such gross and net annual Value, they shall from Time to Time certify the same under their Hands to the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, who shall lay Copies of every Certificate of the said Commissioners before both Houses of Parliament.

The Fees to be paid until altered.

VII. And be it further enacted, That, until otherwise directed by lawful Authority, all Fees and Emoluments that now are or may be legally received in respect of any such Offices or Employments shall continue to be received, and shall be accounted for in the Manner herein-after mentioned.

Officers to render an Account of their Fees in future to the Treasury.

VIII. And be it further enacted, That every Person who on the Twenty-fourth Day of *May* One thousand eight hundred and thirty shall have held any such Office or Employment as aforesaid, and the Heirs, Executors, or Administrators of every such Person having an Interest in such Office, in Fee, or for any Term of Life or Years, shall, during his or their Continuance or Interest in such Office or Employment, render to the Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, upon Oath, to be sworn before a Judge of one of the said Courts, or a Commissioner duly authorized to take Affidavits therein, a true Account in Writing of the gross and net Amount of all such Fees and Emoluments as aforesaid, which shall have become due on account of such Office or Employment, specifying the Particulars of the Disbursements, Allowances, and Charges constituting the Difference between such gross and net Amounts, at and for such Time or Times, in such Form, and with such further Particulars of Receipt or otherwise, as the Commissioners to be appointed (by virtue of this Act) shall fix.

IX. And

Manner of Proceeding if Account is unsatisfactory.

IX. And be it further enacted, That in case the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall be dissatisfied with any Account to be rendered to them as aforesaid, it shall and may be lawful for him or them to refer the same to any One or more of the Chief Justices, Chief Baron, or Judges of any of His Majesty's Superior Courts at *Westminster*, or to any One or more of the Masters of the High Court of Chancery, who shall thereupon, by such Ways and Means and by the Examination of such Persons as he or they shall think fit, and on Oath, if he or they shall think an Oath necessary to be administered, in manner aforesaid, inquire into and investigate the said Accounts, or any Item therein, and all or any of the Disbursements, Allowances, or Charges therein contained, and make such Allowances and Disallowances therein as he or they shall think just and reasonable; and shall finally settle and certify in Writing the net Amount of the Fees and Emoluments to which such Account relates.

If the Fees received shall exceed the certified Value of the Office, the Surplus shall be paid into the Exchequer to the Consolidated Fund.

X. And be it further enacted, That in case the net Amount of such Fees and Emoluments which shall have become due to any Person, who, on the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, shall have held any such Office or Employment as aforesaid, shall exceed the net annual Value thereof which shall have been certified as aforesaid, the Surplus shall, within Seven Days after the rendering of such Account as aforesaid, be paid into the Receipt of the Exchequer, to the Credit of and as Part of the Consolidated Fund of the United Kingdom; and if Default shall be made in the Payment of any such Surplus as aforesaid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund, the Amount thereof shall be and be deemed a Specialty Debt due to His Majesty; and the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury for the Time being shall or may from Time to Time, by an Order under his or their Hands, appoint and authorize such Person as he or they shall think proper to receive all the Fees and Emoluments of the said Office or Employment in respect of which such Surplus is due; and every such Person shall accordingly have and is hereby invested with full Power to receive and compel Payment of such Fees and Emoluments, until such Surplus, with Interest thereon, and all Costs and Expences occasioned by the Nonpayment thereof, are satisfied; and the Monies so to be received shall be applied in Payment of the same accordingly; and if any Surplus shall remain in hand after making all such Payments, the same shall be paid to the Person entitled to such Office or Employment: Provided always, that every such Officer shall and may retain, out of the Surplus so to be paid by him into the Receipt of the Exchequer, so much Money as the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury for the Time being, and the Lord Chief Justice or Chief Baron of the Court to which the Office or Employment of such Officer may belong, shall, by Writing under their Hands, authorize him to retain, as a reasonable Compensation for his additional Trouble in respect of the Increase in the Business of his said Office or Employment.

Proceedings against Defaulters.

XI. And be it further enacted, That in case the net Amount of such Fees and Emoluments which shall become due to any Person, who, on the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, shall have held any such Office or Employment as aforesaid, shall fall short of the net annual Value thereof which shall have been certified as aforesaid, every such Person, his Heirs, Executors, or Administrators, having an Interest in such Office or Employment, in Fee, or for any Term either of Life or Years, shall, during his or their Continuance or Interest in such Office or Employment, be entitled to receive from the Lord High Treasurer or Commissioners of His Majesty's Treasury, within One Calendar Month next after the rendering of such Account as aforesaid, the full Amount of the Difference between the net Sum which shall have so become due and such certified Value; and the Amount so to be paid shall be charged upon and paid out of the Consolidated Fund of the United Kingdom, without any Fee or Deduction whatsoever; and every Person, who, on the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, shall have been appointed to any Office or Employment by any Judge as aforesaid, shall, during the Continuance in Office of the Person so appointed, under and by virtue of that Appointment, be entitled in like Manner to receive such Difference.

If the Receipts fall short of the certified Value, the Difference shall be paid to the Officers out of the Consolidated Fund.

XII. Provided always, and be it enacted, That in case any Person entitled to receive or required to pay over any Sum of Money under the Provisions of this Act shall die or resign, or be dismissed from his Office or Employment, before the Termination of any Year, the Executors or Administrators of the Person so dying, or the Person himself so resigning or dismissed, shall render such Account as aforesaid for such Part of the Year during which the Person so dying or resigning or dismissed shall have held such Office or Employment, and shall be entitled to receive or required to pay over an Amount proportioned to that Part of the Year during which such Person shall have held the same.

Provision for the Case of an Officer dying, &c. before the End of the Year.

XIII. Provided also, and be it enacted, That if any Person authorized to make an Appointment to any Office or Employment as aforesaid shall, after the Twenty-fourth Day of *May* aforesaid, have appointed, or shall hereafter appoint, any other Person or Persons, in addition to the Person or Persons who held such last-mentioned Office or Employment on that Day, to execute the Duties of such last-mentioned Office or Employment, all the Persons appointed to and executing the Duties of such last-mentioned Office or Employment together shall be entitled to receive the Difference between the net Amount of the Fees and Emoluments received by virtue of that Office or Employment and such net certified Value as aforesaid, and shall account for such Fees and Emoluments, and pay over such Surplus as aforesaid, in like Manner as if such Office or Employment had continued to be held by the same Person or Persons who held the same on the said Twenty-fourth Day of *May*, and no Person appointed in addition as aforesaid shall be entitled to receive any more than his rateable Part of such Difference.

If Addition is made to the Number of Persons executing an Office, the whole Number to be entitled only to the same Amount of Fees or Compensation as those before appointed.

No Persons hereafter appointed to any Office shall be entitled to claim Compensation.

XIV. And be it further enacted, That no Person, who, after the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, shall be appointed to any such Office or Employment as aforesaid, shall, nor shall any Person who may appear to the Satisfaction of the Commissioners to be appointed by virtue of this Act to have accepted Office upon Condition of relinquishing any Claim to Compensation in case of its Abolition, be deemed entitled to prefer any Claim to Compensation in respect of any Alteration of any kind whatsoever, which shall be made by lawful Authority, in the Constitution, Process, Practice, Pleadings, or other Proceedings of any of the said Courts, or in the Constitution, Duties, or Emoluments of any of the said Offices or Employments, by such Authority as aforesaid.

This Act not to prevent the Dismissal of any Officer.

XV. Provided always, and be it enacted, That nothing herein contained shall be construed to prevent any Person from being dismissed from any Office or Employment which he may have held on the said Twenty-fourth Day of *May* One thousand eight hundred and thirty, in like Manner as he might have been dismissed therefrom if this Act had not been made, or to give him any greater or other Interest in such Office or Employment than he might have lawfully claimed or exercised if this Act had not been made.

Provision for Payment of Compensation in the Event of any Offices being abolished.

XVI. Provided also, and be it enacted, That if any such Office or Employment as aforesaid shall be abolished by lawful Authority, every Person, his Heirs, Executors, or Administrators, who under the Provisions of this Act would have been entitled to receive the Difference between the net Amount of the Fees and Emoluments which would have become due and the certified Value of such Office or Employment, in case the said Office or Employment were not abolished, shall be entitled to receive, during all the Time for which such Person was entitled to hold the Office or Employment so abolished, such annual Sum as the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury for the Time being, and the Lord Chief Justice or Lord Chief Baron of the Court to which such Office or Employment may belong, shall fix and appoint, as a full and fair Compensation for the Loss of such Office or Employment, not exceeding in any Case the Amount of such certified Value, and not being less in any Case than Three Fourth Parts thereof; and every Person, who under the said Provisions would be entitled to receive such Difference during the joint Continuance in Office of himself and the Person by whom he was appointed to any such Office or Employment, shall be entitled to receive such Sum so to be fixed and appointed as aforesaid by the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury for the Time being, and the Lord Chief Justice or Lord Chief Baron of the Court to which such Office or Employment shall belong, during his natural Life, if the Person appointing him had such an Interest in his Office as would have so long continued, otherwise during such Period only as his Interest would have continued.

Power for the Treasury to purchase

XVII. And be it further enacted, That it shall be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury

for the Time being, or any Three or more of them, to agree with any Person or Persons who on the said Twenty-fourth Day of *May* One thousand eight hundred and thirty shall have held any such Office or Employment, in Fee, or for Life or Term of Years, or otherwise, for the absolute Purchase of such Office or Employment for any Sum of Money, which Sum of Money shall be paid out of the Consolidated Fund of the United Kingdom; and that from and after such Purchase and Payment all Fees and Emoluments which shall become due in respect of any such Office or Employment as shall be so purchased, and shall not have been abolished, shall be received by such Person or Persons as the Lord High Treasurer or any Three of the Commissioners of His Majesty's Treasury shall from Time to Time appoint by Writing under their Hands, and shall be paid into the Receipt of the Exchequer, to the Credit of and as Part of the Consolidated Fund of the United Kingdom.

Offices in Fee or Offices abolished.

XVIII. And be it further enacted, That nothing in this Act contained shall extend to require the Render of any Account of His Majesty's Judges of the Courts of Record at *Westminster* other than such as is now required by Law.

No new Account required from the Judges.

XIX. And whereas, in case of future Appointments to any of the Offices or Employments, of which an Account is required by this Act to be rendered, the Fees and Emoluments payable in respect of the Duties of such Offices or Employments may exceed the Amount of a reasonable Remuneration to the Officer holding the same, and it is therefore expedient to provide a Power for reducing the same; be it enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, when and as often as Occasion may be or require, to reduce, so far as may appear reasonable, the Amount of the Fees and Emoluments to be thereafter allowed to any Officer who shall after the passing of this Act be appointed to any Office or Employment as to which an Account is required by this Act to be rendered as aforesaid, and to direct that the Surplus of the Fees and Emoluments to be received by him shall, after deducting such Remuneration as aforesaid, be paid into the Receipt of the Exchequer, to the Credit of and as Part of the Consolidated Fund of the United Kingdom: Provided always, that nothing herein contained shall affect any Right which may be vested in or exercised by the said Courts, or any of them, or any of the Judges or Officers thereof, of appointing Persons to Offices or Employments in the same, or of regulating and controlling the Manner in which the Duties of any such Offices or Employments shall be performed.

Amount of Fees, &c. may be reduced, and Surplus paid into Treasury.

XX. Provided always, and be it further enacted, That no future Appointment of any Person to any Office or Employment, whereof an Account is by this Act required to be rendered, shall be valid, so as to entitle such Person to the Fees or Emoluments thereof, until such Person shall have given Notice in Writing of such his Appointment to the Lord High Treasurer or to the Commissioners of His Majesty's Treasury for the Time being; and that until such Notice shall have

As to future Appointments to Offices whereof an Account is hereby required.

have been given, all Fees or Emoluments to be received by virtue of such Office or Employment shall be accounted for to the Lord High Treasurer or to the Commissioners of His Majesty's Treasury for the Time being, and shall be paid into the Receipt of the Exchequer as aforesaid.

No Addition to be made in Offices without Consent of Treasury.

XXI. And be it further enacted, That it shall not be lawful for any Officer required to render an Account of any Fees or Emoluments by virtue of this Act to make any Addition to the Number of Persons employed in performing the Duties of such Office or Employment, or to the Amount of Remuneration to be paid or allowed to any Person or Persons in respect of such Services, so as to increase the Disbursements or Expences to be charged or claimed by such Officer in respect of such Office or Employment, without the Consent in Writing of the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them.

False swearing under this Act.

XXII. And be it further enacted, That every Person who shall swear falsely to any Matter respecting which an Oath either personally or in Writing is hereby required or authorized to be made, and shall be convicted of so doing wilfully and corruptly, shall be deemed guilty of wilful and corrupt Perjury, and shall suffer the Pains and Penalties of that Offence.

Power of appointing Commissioners.

XXIII. And be it further enacted, That it shall be lawful for the said Lord High Treasurer or the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, from Time to Time, as Occasion may be or require, to appoint such and so many Persons to be Commissioners for carrying this Act into effect as may to him or them appear fit and necessary, and any Three or more of such Commissioners to be so appointed shall be competent to act in the Execution thereof.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LIX.

An Act for endowing the Parish Church of *Newborough* in the County of *Northampton*, and Three Chapels, called *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, situate in the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, and also a Chapel erected on *Sunk Island* in the River *Humber*. [23d *July* 1830.]

WHEREAS by an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for draining, inclosing, and improving* 52G.3.c.143. *the Lands called* Borough Fen Common, *and the* Four Hundred Acre Common, *in the County of* Northampton, *and for forming the same into a Parish to be called* Newborough, *and for building and endowing a Church for such Parish*, it was amongst other Things enacted, that when and so soon as the Commissioners therein named should have ascertained the Rights and Interests of the several Persons, Bodies Politic, Corporate, and Collegiate, interested in the said Common and Waste Lands thereby authorized to be drained and inclosed, the said Common and Waste Lands should be formed into and be made and become a Parish, to be called the Parish of *Newborough*, in the County of *Northampton* and in the Diocese of *Peterborough* and Archdeaconry of *Northampton*; and it was by the said Act (amongst other Things) further enacted, that in case the Right to Tithes therein-

therein-before referred to should not be established by the King's most Excellent Majesty, or by any Person or Persons claiming Tithes, as therein-before mentioned, then the Commissioners of the said Act should set out, allot, and award unto and for the Lord Bishop of *Peterborough* certain Parts of the said Common and Waste Lands, for the Purposes of erecting a Church and Parsonage House, and for a Churchyard and Burial Ground, and certain other Parts of the said Common and Waste Lands for the Benefit of the Officiating Minister for the Time being to be appointed to the said Church, and certain other Parts of the said Common and Waste Lands the Rents and Profits of which were to be taken by the Parish Clerk to be appointed to the said Church: And whereas by the Verdict of a Jury given at the Assizes held at *Northampton* in the Month of *July* One thousand eight hundred and fourteen, His late Majesty was found to be entitled to the Tithes of the said Commons and Waste Lands, and His present Majesty is seised of the said Tithes, to Him, His Heirs and Successors, in Right of His Crown: And whereas soon after the passing of the said Act the Commissioners appointed for carrying the same into execution ascertained the Rights and Interests of the several Persons, Bodies Politic, Corporate, and Collegiate, interested in the said Common and Waste Lands; whereupon the said Common and Waste Lands was formed into and is now become a Parish, under the Provision for that Purpose contained in the said Act, and is now called the Parish of *Newborough*: And whereas in consequence of the Crown having established its Right and Claim to the aforesaid Tithes no Allotments were made under the said Act for the Purpose of erecting such Church and other Buildings as aforesaid, or for the Purpose of making such Endowment as aforesaid: And whereas His Majesty having been desirous that a Parish Church, to be called the Parish Church of *Newborough*, should be erected for the Purposes of Divine Worship, the Commissioners of His Majesty's Woods, Forests, and Land Revenues have applied the Sum of One thousand two hundred and five Pounds in building and finishing a Parish Church, and in fitting up and furnishing the same with a Pulpit, Seats, Pews, Galleries, Bells, and other necessary Appurtenances, upon One Acre of Land situate in the said Parish of *Newborough*, lying on the North-west Corner of a Piece of Land belonging to His Majesty called the *Forty Acres*, bounded on the West by *Gunter's Road*, on the North by *Crown Road*, and on the East and South by other Part of the said *Forty Acres*; and such Part of the said Piece of Land containing One Acre as does not form the Site of the said Parish Church has been inclosed or partly inclosed as a Churchyard and Burial Ground: And whereas it would be greatly for the Benefit and Advantage of the Inhabitants for the Time being of the said Parish of *Newborough* that the said Church should be consecrated and set apart as a Place of Divine Worship, and that an annual Stipend should be provided for the Officiating Minister for the Time being of the said Parish Church, and that other Provisions should be made concerning the same: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

Authority of the same, That the said Church so erected and built as aforesaid shall be called "The Parish Church of *Newborough*, in the Diocese of *Peterborough*, in the Archdeaconry of *Northampton* and County of *Northampton*;" and that so much of the said Piece of Land containing One Acre or thereabouts as does not form the Site of the said Church so erected as aforesaid shall be for ever hereafter used as a Churchyard and Burial Ground to the said Church; and that the said Church shall be kept in repair, and the Pulpit, Seats, Pews, Galleries, Bells, and other Furniture and Chattels in or belonging to the said Church, shall be repaired or renewed from Time to Time, and the Churchyard kept in repair, at the Costs and Charges of the Inhabitants of the said Parish; and that the East and South Sides of the said Churchyard shall forthwith, at the Costs and Charges of the said Inhabitants, be fenced with a good Ditch not less than Three Feet and a Half in perpendicular Depth, and that a double Row of Whitethorn Quick shall be planted on the Side thereof next the Churchyard; and that the Fences that have been made or set up on the North and West Sides of the said Churchyard, and the Ditch and Fences so to be made or set up on the East and South Sides of the said Churchyard, shall be kept in good Repair and Condition at the Costs and Charges of the said Inhabitants; and that the Amount of all such Costs and Charges as aforesaid shall be paid by the Inhabitants of the said Parish for the Time being according to an annual Assessment to be made upon them by the Churchwardens for the Time being, and shall be recovered by such and the same Means as any other Parochial Charge is by Law authorized to be recovered.

The Church to be called the Parish Church of Newborough, and Part of the Ground to be used as a Churchyard and Burial Ground.

II. And be it further enacted, That the said Church shall be endowed and the same is hereby endowed with all and singular the Privileges, Rights, Profits, and Advantages thereunto belonging or appertaining, according to and for the Purposes of this Act, and shall be set apart and dedicated to and for the Service of Almighty God as and for a Place of Divine Worship according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, for ever, (the same being first duly consecrated according to the Usage of the Church of *England*,) and shall and is hereby declared to be a separate and distinct Perpetual Cure and Benefice, and shall be called by the Name of "The Church of *Newborough*;" and that every Minister of the said Church shall be deemed and taken by virtue of this Act to be incorporated and made a Body Politic and Corporate by the Name of "The Officiating Minister of the Church of *Newborough* in the County of *Northampton*," and shall have perpetual Succession, and be enabled to sue by that Name in all Courts of this Realm; and the said Church, and Churchyard or Burial Place belonging thereto, shall be vested in the said Minister and his Successors for the Time being for ever; and the said Church, and the Minister thereof, and also the Person or Persons who shall act as or in the Nature of a Churchwarden thereof, for the Time being, shall be under and subject to the Order and Jurisdiction of the said Lord Bishop of *Peterborough* and Archdeacon of *Northampton* and their Successors for the Time being, and shall be visited as other Churches or Chapels within the said Diocese and Archdeaconry are visited.

The Church to be endowed as a Place of Worship.

The Minister to be incorporated.

III. And

The Advowson to the Church vested in His Majesty.

III. And be it further enacted, That the Advowson, Right of Patronage, free Disposition, and Nomination of, in, and to the said Church shall from and immediately after the passing of this Act appertain to and the same are hereby vested in the King's most Excellent Majesty, His Heirs and Successors, for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims, and Demands whatsoever of any Person or Persons whomsoever, except as Ordinary of the said Church, and such other Ecclesiastical Jurisdiction as may be necessary.

After Consecration of the Church, Marriages to be celebrated and solemnized therein.

IV. And be it further enacted, That from and after the Consecration of the said Church Banns of Matrimony may be published and Marriages celebrated therein in such Manner and under such Restrictions and Regulations as the same can or may by Law be published or celebrated in Parish Churches or Public Chapels where Banns and Marriages are published and celebrated; and that every such Marriage shall be valid to all Intents and Purposes whatsoever, provided that all such Banns and Marriages shall be published and celebrated according to the Laws and Canons in force within this Realm in that Behalf.

Marriages, &c. to be registered.

V. And be it further enacted, That all Marriages and Christenings had and solemnized within the said Church, and all Funerals solemnized within the said Church and Churchyard, shall be registered in Public Registers to be provided and kept for that Purpose, in manner and for the Purposes as by Law directed.

Commissioners of Woods, Forests, &c. to purchase 8,333*l.* 6*s.* 8*d.* 3 per Cent. Consols in the Names of the Trustees herein mentioned, and the Dividends thereof to be paid to the Minister as his Salary.

VI. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Commissioners of His Majesty's Woods, Forests, and Land Revenues shall, out of the Produce of the Land Revenues of the Crown, purchase the Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eightpence in the Three Pounds per *Centum* Consolidated Bank Annuities, in the joint Names of the Right Reverend *Herbert Marsh* Doctor in Divinity, Lord Bishop of *Peterborough*, or the Lord Bishop of *Peterborough* for the Time being, and the Right Honourable *William Lowther* commonly called Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, or the First Commissioner for the Time being thereof, as Trustees thereof; and that the Trustees for the Time being of the said Capital Sum shal. pay the Dividends and Interest thereof to the Officiating Minister for the Time being of the said Church of *Newborough*, or authorize and empower him to receive the same as and when the same shall become due and payable, as and for a Stipend or Salary for the Performance of his sacred Duties.

Appointment of new Trustees of the Stock.

VII. Provided always, and be it further enacted, That on the Death, Cession, or Translation of the said *Herbert* Lord Bishop of *Peterborough*, or of any future Lord Bishop of *Peterborough*, or on the Death or Cesser to act of the said *William* Viscount *Lowther* as such First Commissioner as aforesaid, or of any future First Commissioner of His Majesty's Woods, Forests, and Land Revenues, the said Capital Sum of Eight thousand three hundred thirty-three Pounds Six

Six Shillings and Eight-pence shall be forthwith and from Time to Time transferred so as to become vested in the joint Names of the Lord Bishop of *Peterborough* and the First Commissioner of His Majesty's Woods, Forests, and Land Revenues for the Time being, upon the Trusts herein-before declared concerning the same: Provided nevertheless, that if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint some Person to act as Trustee with the said Lord Bishop of *Peterborough* for the Time being, and also upon the Death, Removal, or declining to act of the Person to be appointed, or of any other Person to be thereafter nominated and appointed, in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the Lord Bishop of *Peterborough* for the Time being; and that upon every such Nomination and Appointment being so made as aforesaid the said Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith transferred so as to become vested in the joint Names of the said Lord Bishop of *Peterborough* for the Time being and the Person so to be nominated and appointed as aforesaid, upon the Trusts herein-before declared concerning the same; and it is hereby declared, that the Costs and Charges attending the making every such Transfer as aforesaid shall be paid out of the Dividends and Interest of the said Stock.

Portland Chapel, Oxford Chapel, and Welbeck Chapel vested in Trustees.

VIII. And whereas His Majesty is seised to Him, His Heirs and Successors, of the Advowson or perpetual Right of Nomination and Appointment of the Rector of the Parish of *Saint Mary-le-bone* in the County of *Middlesex*, and is in like Manner seised of all those Three several Chapels called respectively by the Names of *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, and the Ground whereon the same respectively stand, situate in the same Parish; and Divine Service has for several Years past been performed in the said Chapels by Curates or Ministers duly licensed for that Purpose, although none of the said Chapels have been appropriated or consecrated: And whereas the said Two Chapels called *Portland* Chapel and *Oxford* Chapel are situate within the District which hath been assigned to the District Church called by the Name of "*All Souls* Church in *Saint Mary-le-bone*," established under the Provisions of an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to enable the Vestrymen of the Parish of* Saint Mary-le-bone *in the County of* Middlesex *to effectuate the building of Four District Churches in the said Parish, and for other Purposes relating thereto;* and under an Act passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act for making the Four Districts in the Parish of* Saint Mary-le-bone *in the County of* Middlesex *distinct Rectories for certain Purposes;* but the said Chapel called *Welbeck* Chapel, though situate in the said Parish of *Saint Mary-le-bone*, is not situate within any of the Four District Rectories established by the said Acts: And whereas it would tend materially to the Advantage and Accommodation of the inhabitant

1 & 2 G. 4. c. 21.

6 G. 4. c. 124.

Householders of the said Parish, that the said Chapels called *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel should be respectively consecrated and appropriated for ever as Chapels wherein the Liturgy and Rites of the United Church of *England* and *Ireland* may be used and observed; be it therefore enacted, That the said Chapel commonly called *Portland* Chapel, situate and being in *Great Portland Street* in the said Parish of *Saint Mary-le-bone*, and in the said Chapel commonly called *Oxford* Chapel, situate and being in *Vere Street* in the same Parish, and the Ground and Soil whereon the same respectively stand, and all Rents, Profits, and Produce to arise and become payable in respect of the said Two Chapels, together with all and singular Vaults, Areas, Ways, Passages, Lights, Easements, and Appurtenances whatsoever to the same Chapels and Premises respectively in anywise belonging or appertaining, shall be and the same are hereby vested in the said *William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, and in the Reverend *George Chandler* Doctor of Laws, Rector of the said District Church of *All Souls* in *Saint Mary-le-bone*, and their respective Successors in the said Office and District Rectory, as a Body Corporate; and that the said Chapel called *Welbeck* Chapel, situate in *Westmoreland Street* in the said Parish, and the Ground and Soil whereon the same stands, and all Rents, Profits, and Produce to arise and become payable in respect of the same Chapel, together with all and singular Vaults, Areas, Ways, Passages, Lights, Easements, and Appurtenances whatsoever to the same Chapel and Premises in anywise belonging or appertaining, shall be and the same are hereby vested in the said *William* Viscount *Lowther* as such Commissioner as aforesaid, and the Reverend *John Hume Spry* Doctor in Divinity, Rector of the Parish of *Saint Mary-le-bone* aforesaid, and their respective Successors in the said Office and Rectory, as a Body Corporate; to the Intent and Purpose that after Consecration of the said Three Chapels respectively, Divine Service according to the Rites of the United Church of *England* and *Ireland* shall be performed therein by the Curates or Officiating Ministers for the Time being thereof, in the Morning of every Holiday, and in the Morning and Afternoon or Evening of every *Sunday*, who shall preach a Sermon in the Morning and in the Afternoon or Evening of every *Sunday* immediately after Divine Service throughout the Year, and at such other Time or Times, and shall perform such other Duties, as the Lord Bishop of *London* for the Time being shall from Time to Time direct; and it is hereby declared, that the Reverend *John Crofts* Clerk, who is the present Curate or Officiating Minister of the said Chapel called *Portland* Chapel, the Reverend *John Percival*, who is the present Curate or Officiating Minister of the said Chapel called *Oxford* Chapel, and the Reverend *Thomas White*, who is the present Curate or Officiating Minister of the said Chapel called *Welbeck* Chapel, shall perform the said Duties in the said Chapels respectively during their respective Lives, or until by Cession or otherwise they shall respectively cease to be such Curates or Officiating Ministers as aforesaid; and at all Times afterwards that the said Duties in the said Chapels respectively shall be performed by such Persons, being of the Church of *England*, in Priests Orders, and duly qualified, who for the Time being shall be

After Consecration, Divine Service to be performed in the Chapels.

The present Ministers to officiate during their Lives, and afterwards the Persons to be appointed by the Crown.

the Curates or Officiating Ministers of the said Chapels respectively under or by virtue of the Nomination or Appointment of His Majesty, His Heirs or Successors, and who shall have been duly licensed to the said Three Chapels respectively by the Lord Bishop of *London* for the Time being, to officiate as such Curates or Ministers and to perform the said Duties in the said Chapels.

Free Sittings to be provided for poor Persons, and the other Pews to be let.

IX. And be it further enacted, That Pews, Sittings, or Benches in every of the said Chapels, to be marked with the Words "Free Seats," amounting in the whole to not less than One Sixth Part of the whole of the Sittings in each Chapel, shall be appropriated and set apart for the Use of poor Persons resorting thereto, and for which Pews, Sittings, or Benches no Rent or Assessment whatsoever shall at any Time be charged or imposed; and that the Pews or Seats in each of the said Chapels (save and except the Pews or Sittings so to be set apart for the Use of the poor Persons, and save and except the Pews set apart or to be set apart for the Use of the Curates or Officiating Ministers of the said Chapels for the Time being, or their respective Families,) shall for ever be charged and chargeable in the several and respective yearly Rents or Sums to be set opposite to the Figures or Numbers to be marked upon each of the said Pews or Seats, as they shall be particularly numbered or set down, with reference to the Chapels respectively, in the Lists or Schedules to be made and signed by the Trustees for the Time being of the said Chapels respectively, and annexed to the Deeds of Consecration of such Chapels respectively (such Lists or Schedules nevertheless to be subject to the Approval of the Lord Bishop of *London* for the Time being); all which said respective yearly Rents or Sums shall be paid by the Possessors and Occupiers of the Pews or Seats to the said Trustees for the Time being, or to their Receiver to their or his Receipt or Receipts, by yearly Payments on the Twenty-fifth Day of *March* in each Year, but each of which yearly Payments is to be paid in advance, and to be computed from the respective Times of letting such Pews or Seats.

Trustees may alter Pew Rents, with the Consent of the Officiating Ministers and the Bishop of London.

X. Provided always, and be it further enacted, That it shall be lawful for the Trustees for the Time being of the said Chapels respectively, with the Consent in Writing of the Curates or Officiating Ministers thereof respectively, and also of the said Lord Bishop of *London* for the Time being, to alter any such yearly Rents or Sums; and in every such Case a new List or Schedule of Rents or Sums, and the Pews or Seats on which the same shall be respectively charged, shall be signed by the said Curates or Officiating Ministers of the said Chapels respectively, and the said Lord Bishop of *London* for the Time being, and shall be deposited with the Deed of Consecration of the Chapel in respect of which such yearly Rents or Sums shall be altered; such last-mentioned Rents to be paid by such yearly Payments as aforesaid.

Mode of proceeding when Pew Rents are in arrear.

XI. And be it further enacted, That in case the Rent of any such Pew or Seat or any Part thereof shall happen to be behind and unpaid by the Space of Three Months next after the same shall become due, and Notice in Writing demanding Payment thereof shall

shall have been given to the Owner or Occupier of such Seat or Pew, then the said Trustees for the Time being of the said Chapels shall and may enter upon and hold such Seat or Pew, and let the same to any other Person or Persons, in such Manner as such Trustees shall think proper; and that it shall be lawful for the said Trustees to recover the said Rent so in arrear by Action of Debt or upon the Case, for the Use and Occupation of such Pew or Seat, to be brought against the Owner or Owners or any Occupier or Occupiers thereof, in the Names of the Trustees for the Time being.

Trustees to keep Accounts of Rents of Pews.

Trustees may appoint Receivers of the Rents, and a Treasurer.

Application of the Rents.

XII. And be it further enacted, That the said Trustees or their Receiver shall keep separate Accounts of what shall be received in respect of the Rents so to be reserved as aforesaid on Leases of the Pews and Seats in the said Three Chapels respectively, so that the Rents to be reserved in respect of each of the said Chapels may be applied as after-mentioned, for the exclusive Benefit of such Chapels respectively, or otherwise, as herein-after mentioned; and that it shall be lawful for the said Trustees for the Time being of the said Chapels respectively, by Writing under their Hands, to appoint from Time to Time such Persons as they shall think fit to be the Receivers of such respective Rents, and, at their Discretion, to revoke the Appointment of the Persons so appointed, and to appoint any other Persons in their Stead, and also in like Manner from Time to Time to appoint a Treasurer of the said Trust Funds, and, if they shall think fit, and at their Discretion, to revoke such Appointment and to appoint another Person in his Stead; and upon further Trust that the said Trustees for the Time being of the said Chapels respectively do and shall, by and out of the Rents and Profits to be payable for the Time being in respect of the said Seats or Pews, apply such Sum or Sums of Money as the said respective Trustees for the Time being shall think fit, in effecting any Insurance of the said Chapels, and the Seats, Pews, Organ, Furniture, and other Articles and Chattels therein, against Loss or Damage by Fire, in any of the Public Offices of Insurance in the Cities of *London* or *Westminster*, in such Sum or Sums of Money as the said Trustees may in their Discretion think proper, and do and shall pay the annual or other Premiums for keeping such Insurances on foot, and do and shall, in case of any such Loss or Damage by Fire happening as aforesaid, apply the Money to be recoverable on the Policy or Policies of Insurance in or towards rebuilding or repairing the said Chapels respectively to which such Loss or Damage by Fire shall happen, and in repairing or replacing the Seats, Pews, Organs, Furniture, and other Articles therein respectively which shall be so destroyed or damaged, in order to restore the said Premises to the same State and Condition in which the same were previous to the Time of the happening of such Fire; and do and shall from Time to Time, by and out of such Rents and Profits, apply such Sum or Sums of Money as the said respective Trustees for the Time being shall think fit, in cleansing, glazing, painting, embellishing, whitewashing, sustaining, and keeping in repair the said Chapels, both inside and outside, and the Seats, Pews, Galleries, Organs, and every Part of the Interior of the said Chapels, and the Furniture and other Chattels therein, and the Gates, Rails, Walls, or other Fences belonging to

to the said Chapels respectively, and in making and keeping in repair all such Alterations, Additions, and Improvements in or to the said Chapels as may at any Time hereafter be deemed proper or necessary by the said Trustees or the Trustees for the Time being; and do and shall, in the next place, by and out of the said Rents and Profits, pay the Expences of purchasing and providing, as far as may be requisite, Bibles and Prayer Books for the Use of the said Chapels, and Surplices and Vestments for the Use of the said Ministers or Chaplains for the Time being, and of providing from Time to Time such other Articles as are or shall be deemed necessary for the due and decent Performance of Divine Service and the Administration of the Sacrament of the Lord's Supper in the said Chapels according to the Rites of the Church of *England*, and in paying all such other Costs, Charges, and Expences as shall be incurred by or under the Direction of the said Trustees respectively for the Time being about the Execution of the Trusts herein declared, not otherwise provided to be paid; and do and shall, in the next place, by and out of the said Rents and Profits, pay or cause to be paid to the said *John Crofts* and to the said *John Percival* and to the said *Thomas White* respectively, or other the Curates or Ministers for the Time being of the said Chapels respectively, such annual Sums by way of Salaries or Stipends for their Services, not exceeding in the first Instance the Sum of Three hundred and fifty Pounds for each such Curate or Minister, but with Power for the Trustees for the Time being of the said Chapels respectively, either for a limited Period or permanently, but with the Consent of the Lord Bishop of *London* for the Time being, to increase such annual Salaries or Stipends to any Sum not exceeding Four hundred and fifty Pounds for any of such Curates or Ministers, in case the Trust Funds or Monies shall in the Opinion of the said Trustees authorize such Increase to any one or more of the said Curates or Ministers, such Sums for the Time being so payable to the said Curates or Ministers respectively to be paid to them by equal half-yearly Payments, free from all Deductions, and the first half-yearly Payment of the said annual Sums of Three hundred and fifty Pounds to be made on the Twenty-fifth Day of *December* now next ensuing; and do and shall, out of the said Rents and Profits, pay to the Receiver so to be appointed of such Rents as aforesaid, and also to the Treasurer so to be appointed as aforesaid, and to the Clerks, Organists, and all other Persons whom it shall be deemed necessary to be employed in and about the said Chapels, and may be engaged to assist in the Celebration of Divine Service, and to such Pew-openers as shall or may be employed to attend the said Chapels, (which Clerks, Organists, and Pew-openers shall be appointed by the Ministers for the Time being of the said Chapels respectively, and shall be removable at the Pleasure of the said Ministers for the Time being respectively, with the Consent of the said Trustees, or the Trustees for the Time being,) such yearly Salaries or Wages as to the said Trustees respectively for the Time being shall seem proper; and after Payment of the Sums herein-before directed to be paid and applied as aforesaid out of the said Rents and Profits of the said Chapels respectively, and after Payment of such Costs and Charges as aforesaid, the said Trustees, or the Trustees for the Time being of the said Chapels respectively, or their Treasurer, (subject to and

under their Controul and Direction,) shall from Time to Time lay out and invest the Residue of the Rents and Profits to arise from letting the said Pews or Seats within the said Three Chapels respectively in the Purchase of Three *per Centum* Consolidated or Reduced Bank Annuities, in the Names of the said Trustees for the Time being of the said Chapels respectively, and shall receive the Interest and Dividends of such Bank Annuities, and the Interest and Dividends of the Bank Annuities to be purchased as after mentioned, and lay out and invest the same from Time to Time in the Purchase, in their Names, of like Bank Annuities, to the Intent that such several Bank Annuities may accumulate.

Bank Annuities to be vested in the Trustees.

XIII. And it is hereby further enacted, That the said several Bank Annuities so to be purchased as last aforesaid shall be held by the said Trustees respectively for the Time being of the said Chapels in such Shares as shall appear to have resulted from the Surplus of the Rents and Profits arising from the Seats, Pews, Vaults, and Cellars of such Chapels respectively, as a Fund by Sale or Transfer whereof to raise Money from Time to Time for defraying the Costs and Expences of rebuilding or reinstating the said Chapels, and the Seats, Pews, Organs, and other Furniture and Chattels therein, in case the same or any of them shall be wholly destroyed or injured by Fire or other Accident, or in rebuilding or substantially repairing the said Chapels when the same may become dilapidated, and in fitting new Pews or Seats, and providing other internal Chattels, Ornaments, or Conveniences, as may be deemed requisite: Provided nevertheless, that if at any Time or Times it shall happen that the Rents and Profits payable in respect of the said Seats or Pews shall be insufficient to discharge the annual or other Payments herein-before directed to be made thereout respectively, together with the Costs, Charges, and Expences of the Trustees for the Time being in execution of the Trusts herein-before declared, it shall be lawful for the respective Trustees for the Time being of the said Bank Annuities, by and out of the Dividends, or by Sale and Transfer of a competent Part of the Capital thereof, that shall be held in Trust for the Chapel, the Rents and Profits of which shall be so insufficient as aforesaid, to levy and raise from Time to Time such a Sum or Sums of Money as shall enable them to satisfy and discharge the Deficiency, and to pay and apply the Sum or Sums of Money so to be levied and raised in Payment and Satisfaction of such Deficiency accordingly.

Power of making general Regulations vested in the Trustees

XIV. Provided always, and it is hereby further enacted, That the Regulation of all Matters and Things relating to the said Chapels (subject nevertheless to the particular Directions and Regulations herein contained) shall be under the Direction of the said Trustees or the Trustees for the Time being of the said Chapels respectively, but subject to the Approbation of the Lord Bishop of *London* for the Time being; and that every Order to be made or Act to be done by the said Trustees respectively shall be made or done at some Meeting to be holden for the Purpose of executing the Trusts herein expressed.

XV. Pro-

Meetings of Trustees, and their Duties at such Meetings.

XV. Provided always, and it is hereby further enacted, That a Meeting of the Trustees for the Time being of the said Chapels respectively shall be holden in the Vestry-rooms of the said Chapels, or in some other convenient Place within the said Parish, on some convenient Day or Days of the Month of *March* in every Year, for the Purpose of inspecting the State and Condition of the said Chapels and Premises, and of directing the Repairs thereof (such Repairs, if exceeding by Estimate the Sum of Fifty Pounds for each Chapel, to be done by Contract in Writing under the Hands of Workmen undertaking the same, and specifying the precise Sum for which the same are to be done,) and for auditing the Accounts and paying the Bills of the then preceding Year, and generally for settling the Affairs and Concerns of the said Trust Premises; and upon every which Occasion Accounts shall be regularly made up with respect to each of the said Three Chapels, and the Balance struck, and entered in the Books herein-after directed to be kept, and signed by the Trustees; and further, that a proper Book shall be kept at all Times in a Box or Chest in the Vestry-room of each Chapel, for entering all Transactions, Matters, or Things done or to be done, and all Costs and Expences, Payments and Disbursements, and other Matters and Things relating to the Business and Affairs of the said Chapels respectively, to which Books the Trustees for the Time being of the said Chapels respectively shall have free Access, at reasonable Times of the Day, to peruse, examine, and copy out the same; and that all Vouchers and Receipts for Payments and Disbursements on account of each Chapel shall be at all Times kept in the said Box or Chest, to be deposited in the Vestry-room of each Chapel, of which Box or Chest each of the Trustees for the Time being shall have a Key.

Mode of applying Monies which may come to the Hands of the Trustees by Donation or Bequest, where not otherwise directed.

XVI. And it is hereby further enacted, That the said Trustees or the Trustees for the Time being of the said Chapels respectively shall apply, or their Treasurer for the Time being shall (subject to and under their Controul and Direction) apply, all Monies which shall or may come to their Hands as Trustees by Donation or Bequest, and regarding which no other Mode of Application shall be directed by the Donors or Testators, upon or for such Trusts, Intents, and Purposes as are herein-before declared concerning the Surplus of the aforesaid Rents and Profits herein-before directed to be laid out and invested in the Purchase of Bank Annuities as aforesaid, or upon and for such other Trusts, Intents, and Purposes, with reference to the said Chapels, and the Benefit and Advantage of the Ministers for the Time being, and to the Comfort and Convenience of such Persons as shall resort thereto, as the said Trustees for the Time being of the said Chapels respectively, with the Consent of the Lord Bishop of *London* for the Time being, shall think proper.

Commissioners of the Treasury may appoint new Trustees in the Place of the First Commis-

XVII. Provided always, and it is hereby further enacted, That if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer, or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint some Person to act

sioner of His Majesty's Woods, &c. in the event of that Board being discontinued.

act as Trustee with the said Rectors for the Time being respectively; and also upon the Death, Removal, or declining to act of the Person to be so nominated and appointed, or of any other Person to be thereafter nominated and appointed in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the said Rectors for the Time being respectively; and that upon every such Nomination and Appointment being so made as aforesaid, the said Two Chapels called *Portland* Chapel and *Oxford* Chapel, with their respective Appurtenances, shall become vested in the Rector for the Time being of the said District Rectory called *All Souls*, and the Person so to be appointed to act as Trustee with him as aforesaid, as a Body Corporate; and that the said Chapel called *Welbeck* Chapel, with the Appurtenances, shall become vested in the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, and the Person so to be appointed to act as Trustee with him as aforesaid, as a Body Corporate; and that from and after any such Appointment shall be made as aforesaid, the said Chapels called *Portland* Chapel and *Oxford* Chapel, with their respective Appurtenances, shall be held by the Rector for the Time being of the said District Rectory called *All Souls*, and the Person to be appointed to act as Trustee with him, upon such Trusts as are herein-before declared concerning the same, and with the same Powers and Authorities as are herein-before given to the said *William* Viscount *Lowther* and *George Chandler*, or such of them as shall be then subsisting or capable of taking effect; and that from and after any such Appointment shall be so made as aforesaid, the said Chapel called *Welbeck* Chapel, with the Appurtenances, shall be held by the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, and the Person to be appointed to act as Trustee with him, upon such Trusts as are herein-before declared concerning the same, and with the same Powers and Authorities as are herein-before given to the said *William* Viscount *Lowther* and *John Hume Spry*, or such of them as shall be then subsisting or capable of taking effect.

Trustees to be indemnified against Costs, &c.

XVIII. Provided always, and it is hereby further enacted, That it shall be lawful to and for the Trustees for the Time being of the said Chapels respectively, by and out of the said Trust Monies and Premises, to deduct and retain to themselves respectively all such Costs and Expences as shall be incurred by them or any of them in the Execution of any of the Trusts aforesaid; and that they or any of them shall not be responsible for any such Treasurer or Receiver as aforesaid, and that the said Trustees or any of them shall not be chargeable further than with or for their own respective Receipts, Acts, or Defaults, and that they or any of them shall not be accountable for any Loss in depositing the said Trust Monies or any Part thereof with any Banker for safe Custody, nor for any other involuntary Loss or Misfortune in any of the said Trust Transactions; and that the Receipts of the Trustees for the Time being, or of any one of them, or of their Treasurer, for all Monies to be paid to them or him, shall be effectual Discharges to the Person or Persons paying the same.

Saving the Rights of the Rectors of

XIX. Provided always, and it is hereby further enacted, That nothing herein contained shall authorize the Minister for the Time being

of *Portland* Chapel or *Oxford* Chapel to receive or claim any Surplice or other Fees or Emoluments of Right or by Custom due or payable to the Rector for the Time being of *All Souls*, or the Minister for the Time being of *Welbeck* Chapel to receive or claim any Surplice or other Fees or Emoluments of Right or by Custom due or payable to the Rector for the Time being of the said Parish of *Saint Mary-le-bone*, but that the said Rectors for the Time being respectively shall at all Times hereafter continue to be entitled to such Surplice and other Fees and Emoluments, and to receive the customary Fees payable in respect of any Licence or Authority given by them respectively for erecting any Monuments within or outside the said Chapels respectively, and to which Fees the said Rectors respectively may be entitled; and that the said Rectors for the Time being respectively shall be entitled to the Privilege of performing Divine Service in the said Chapels respectively, as often as they respectively shall think proper; and that nothing herein contained shall extend to invalidate or prejudice the Jurisdiction or any of the Rights or Powers of the Lord Bishop of *London* for the Time being, in, over, or relating to the said Chapels.

All Souls and Mary-le-bone;

and of the Bishop of London.

XX. And whereas His Majesty is seised to Him, His Heirs and Successors, in Right of His Crown, of a certain Estate called *Sunk Island*, situate in the River *Humber*, on Part of which Estate the Lessees of the Crown and their Tenants have, at their own Expence, erected a Chapel called the *Sunk Island* Chapel, and have appropriated and inclosed a Piece of Land as a Burial Ground thereto: And whereas it would be greatly for the Benefit and Advantage of the Inhabitants for the Time being of *Sunk Island* that the said Island should be constituted a Parish, and that the said Chapel should be consecrated as a Church, and be set apart as a Place of Divine Worship, and that an annual Stipend should be provided for the Officiating Minister for the Time being of the said Parish Church, and that other Provisions should be made concerning the same; be it therefore further enacted, That the said Island called *Sunk Island* shall from and after the passing of this Act be formed into and be made and become a Parish, to be called "The Parish of *Sunk Island* in the County of *York*."

Sunk Island constituted a Parish.

XXI. And be it further enacted, That the said Chapel so erected and built as last aforesaid shall from and after the passing of this Act be called "The Parish Church of *Sunk Island* in the Province of *York*, and Archdeaconry of the East Riding of the County of *York*," and that the said Church shall be kept in repair, and the Pulpit, Seats, Pews, Galleries, Bells, and other Furniture and Chattels in and belonging to the said Church, shall be repaired and renewed from Time to Time, and the Churchyard or Burial Ground kept in repair and well fenced, at the Costs and Charges of the Inhabitants of the said Parish; and that the Amount of all such Costs and Charges as aforesaid shall be paid by the Inhabitants of the said Parish for the Time being according to an annual Assessment to be made upon them by the Churchwardens for the Time being, and shall be recovered by such and the same Means as any other Parochial Charge is by Law authorized to be recovered.

The Chapel erected there to be called the Parish Church of Sunk Island.

XXII. And

The Church to be endowed as a Place of Worship, and the Minister incorporated.

XXII. And be it further enacted, That the said Church shall be endowed and the same is hereby endowed with all and singular the Privileges, Rights, Profits, and Advantages thereunto belonging or appertaining, according to and for the Purposes of this Act, and shall be set apart and dedicated to and for the Service of Almighty God as and for a Place of Divine Worship according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, for ever, (the same being first duly consecrated according to the Usage of the Church of *England*,) and shall and is hereby declared to be a separate and distinct Perpetual Cure and Benefice under the Name of "The Church of *Sunk Island*," and that the present and every future Minister of the said Church shall be deemed and taken by virtue of this Act to be incorporated and made a Body Politic and Corporate by the Name of "The Officiating Minister of the Church of *Sunk Island*," and shall have perpetual Succession, and be enabled to sue by that Name in all Courts of this Realm; and the said Church, and Churchyard or Burial Ground belonging thereto, shall be vested in the said Minister and his Successors for the Time being for ever; and the said Church, and the Minister thereof, and also the Person or Persons who shall act as or in the Nature of a Churchwarden thereof, for the Time being, shall be under and subject to the Order and Jurisdiction of the said Lord Archbishop of *York* and the Archdeacon of the East Riding of the County of *York*, and their Successors, for the Time being, and shall be visited as other Churches and Chapels within the said Province of *York* and Archdeaconry are visited.

The Advowson of the Church vested in His Majesty.

XXIII. And be it further enacted, That the Advowson, Right of Patronage, free Disposition, and Nomination of, in, and to the said Church, shall from and immediately after the passing of this Act appertain to and the same are hereby vested in the King's most Excellent Majesty, His Heirs and Successors, for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims, and Demands whatsoever of any Person or Persons whomsoever, except as Ordinary of the said Church, and such other Ecclesiastical Jurisdiction as may be necessary.

After Consecration, Marriages to be celebrated and solemnized.

XXIV. And be it further enacted, That from and after the Consecration of the said Church, Banns of Matrimony may be published and Marriages celebrated therein, in such Manner and under such Restrictions and Regulations as the same can or may by Law be published or celebrated in Parish Churches or Public Chapels where Banns and Marriages are published and celebrated; and that every such Marriage shall be valid to all Intents and Purposes whatsoever, provided that all such Banns and Marriages shall be published and celebrated according to the Laws and Canons in force within this Realm in that Behalf.

Marriages, &c. to be registered.

XXV. And be it further enacted, That all Marriages, Christenings, and Burials had and solemnized within the said Church shall be registered in Public Registers to be provided and kept for that Purpose, in manner and for the Purposes as by Law directed.

XXVI. And

XXVI. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Commissioners of His Majesty's Woods, Forests, and Land Revenues shall, out of the Produce of the Land Revenues of the Crown, purchase the Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence in the Three Pounds *per Centum* Consolidated Bank Annuities, in the joint Names of the Right Honourable and Most Reverend *Edward* Lord Archbishop of *York*, or the Lord Archbishop of *York* for the Time being, and of the said *William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, or the First Commissioner for the Time being thereof; and that the Trustees for the Time being of the said last-mentioned Capital Sum shall pay the Dividends and Interest thereof to the Officiating Minister for the Time being of the said last-mentioned Church, or authorize and empower him to receive the same, as and when the same shall become due and payable, as and for a Stipend or Salary for the Performance of his sacred Duties.

Commissioners of Woods and Forests to purchase 8,333*l.* 6*s.* 8*d.* in the 3 per Cent. Consols. in the Names of the Trustees herein mentioned, and Dividends thereof to be paid to the Minister.

XXVII. Provided always, and be it further enacted, That on the Death, Cession, or Translation of the said *Edward* Lord Archbishop of *York*, or of any future Lord Archbishop of *York*, or on the Death or Cesser to act of the said *William* Viscount *Lowther* as such First Commissioner as aforesaid, or of any future First Commissioner of His Majesty's Woods, Forests, and Land Revenues, the said last-mentioned Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith and from Time to Time transferred so as to become vested in the joint Names of the Lord Archbishop of *York* and the First Commissioner of His Majesty's Woods, Forests, and Land Revenues for the Time being, upon the Trusts herein-before declared concerning the same: Provided nevertheless, that if at any Time hereafter the Board commonly called "The Commissioners of His Majesty's Woods, Forests, and Land Revenues," shall be discontinued, it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury for the Time being, by any Writing under his or their Hand or Hands, to nominate and appoint from Time to Time some Person to act as Trustee with the Lord Archbishop of *York* for the Time being, and also upon the Death, Removal, or declining to act of the Person so to be appointed, or of any other Person to be thereafter nominated and appointed in pursuance of this present Power, to nominate and appoint from Time to Time some other Person to act as Trustee with the Lord Archbishop of *York* for the Time being; and that upon every Nomination and Appointment being so made as aforesaid, the said last-mentioned Capital Sum of Eight thousand three hundred thirty-three Pounds Six Shillings and Eight-pence shall be forthwith transferred so as to become vested in the joint Names of the said Lord Archbishop for the Time being and the Person so to be nominated and appointed as aforesaid, upon the Trusts herein-before declared concerning the same; and it is hereby declared, that the Costs and Charges attending the making every such Transfer as last aforesaid shall be paid out of the Dividends and Interest of the said last-mentioned Stock.

Appointment of new Trustees of the Stock.

XXVIII. And

Public Act.

XXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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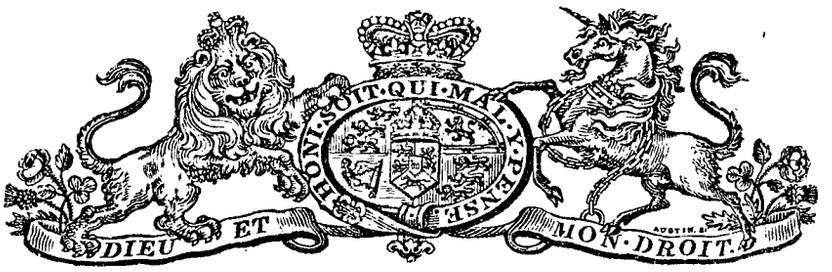

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LX.

An Act for amending the Laws respecting Conveyances and Transfers of Estates and Funds vested in Trustees and Mortgagees; and for enabling Courts of Equity to give Effect to their Decrees and Orders in certain Cases.

[23d *July* 1830.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Conveyances and Transfers of Estates and Funds vested in Trustees who are Infants, Idiots, Lunatics, or Trustees of unsound Mind, or who cannot be compelled or refuse to act; and also the Laws relating to Stocks and Securities belonging to Infants, Idiots, Lunatics, and Persons of unsound Mind:* And whereas an Act was passed in the Parliament of *Ireland*, in the Second Year of the Reign of King *George* the First, intituled *An Act to enable Infants who are seised or possessed of Estates in Fee, in Trust or by way of Mortgage, to make Conveyances of such Estates:* And whereas an Act was passed in the Parliament of *Ireland*, in the Fifth Year of the Reign of King *George* the Second, intituled *An Act to enable Idiots and Lunatics who are seised or possessed of Estates in Fee or for Lives or Terms of Years, in Trust or by way of Mortgage, to make Conveyances, Surrenders, or Assignments of Estates; and to prevent Delay in Suits in Equity, where Trustees are not found:* And whereas an Act

6 G. 4. c. 74.

2 G. 1. (I.)

5 G. 2. (I.)

was passed in the Seventh Year of the Reign of His late Majesty King
7 G. 4. c. 43. *George* the Fourth, intituled *An Act to amend the Laws in force in* Ireland *relating to Conveyances and Transfers of Estates and Funds vested in Trustees:* And whereas it is expedient that the Provisions of the said Acts should be consolidated and enlarged; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts shall be and the same are hereby repealed, except so far as the same relate to Stock belonging beneficially to Infants or Lunatics, and also except as to such Proceedings of any Description, under the same Acts respectively, as shall have been commenced before the passing of this Act, and which may be proceeded in according to the Provisions of the said recited Acts respectively, or according to the Provisions of this Act, as shall be thought expedient: Provided always, that the several Acts repealed by the said first-recited Act shall not be revived.

Recited Acts repealed, except as herein mentioned.

Rules for the Interpretation of this Act.

II. And inasmuch as, in order to avoid unnecessary Repetition, certain Words are used in this Act as describing Subjects some of which, according to their usual Sense, such Words would not embrace; for the understanding of the Sense attached to them in this Act, be it further enacted, That the Provisions of this Act shall extend to and include the several other Estates and Persons, Matters and Things herein-after mentioned; (that is to say,) those relating to Land, to any Manor, Messuage, Tenement, Hereditament, or Real Property, of whatever Tenure, and to Property of every Description transferrable otherwise than in Books kept by any Company or Society, or any Share thereof or Interest therein; those relating to Stock, to any Fund, Annuity, or Security transferrable in Books kept by any Company or Society established or to be established, or to any Money payable for the Discharge or Redemption thereof, or any Share or Interest therein; those relating to Dividends, to Interest or other annual Produce; those relating to a Conveyance, to any Fine, Recovery, Release, Surrender, Assignment, or other Assurance, including all Acts, Deeds, and Things necessary for making and perfecting the same; those relating to a Transfer, to any Assignment, Payment, or other Disposition; those relating to a Lunatic, to any Idiot or Person of unsound Mind or incapable of managing his Affairs; those relating to an Heir, to any Devisee or other real Representative by the Common Law or by Custom or otherwise; and those relating to an Executor, to any Administrator or other personal Representative; unless there be something in the Subject or Context repugnant to such Construction; and whenever this Act, in describing or referring to any Trustee or other Person, or any Trust, Land, Conveyance, Matter, or Thing, uses the Word importing the Singular Number or the Masculine Gender only, the same shall be understood to include and shall be applied to several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Trust Lands, Stocks, Conveyances, Matters, or Things respectively, as well as one Trust, Land, Stock, Conveyance, Matter, or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction.

Where Trustees or Mortgagees of Land are lunatic, the Lord Chancellor may direct the Committees of such Persons to convey Land;

III. And be it further enacted, That where any Person seised or possessed of any Land upon any Trust or by way of Mortgage shall be lunatic, it shall be lawful for the Committee of the Estate of such Person, by the Direction of the Lord Chancellor of *Great Britain*, being intrusted by virtue of the King's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, to convey such Land, in the Place of such Trustee or Mortgagee, to such Person and in such Manner as the said Lord Chancellor shall think proper; and every such Conveyance shall be as effectual as if the Trustee or Mortgagee, being lunatic, had been of sane Mind, Memory, and Understanding, and had made and executed the same.

or may direct the Committee or other Person to transfer Stocks or Funds standing in the Name of a lunatic Trustee, and receive the Dividends.

IV. And be it further enacted, That where any Stock shall be standing in the Name of any Person who shall be a Lunatic, as a Trustee or Executor, alone or jointly with any other Person, or shall continue to be standing in the Name of a deceased Person whose Executor shall be lunatic, or shall be otherwise vested in or transferrable by any Person who shall be lunatic, for the Benefit of some other Person, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to direct the Committee of the Estate of any such Lunatic to transfer or join in transferring such Stock to or into the Name of such Person and in such Manner as the said Lord Chancellor shall think proper, and also to order such Person appointed as aforesaid to receive and pay over or join in receiving and paying over the Dividends of such Stock in such Manner as the said Lord Chancellor shall direct; and every such Transfer, Receipt, and Payment shall be as effectual as if the Person being lunatic had been of sane Mind, Memory, and Understanding, and had transferred, received, and paid, or joined in transferring, receiving, and paying, such Stock or Dividends.

Lord Chancellor, before Inquisition, may appoint a Person to convey or transfer.

V. And be it further enacted, That where any such Person as aforesaid being lunatic shall not have been found such by Inquisition, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to direct any Person whom the said Lord Chancellor may think proper to appoint for that Purpose, in the Place of such last-mentioned Lunatic, to convey or join in conveying such Land, or to transfer or join in transferring such Stock, and receive and pay over the Dividends thereof, as herein-before is mentioned; and every such Conveyance, Transfer, Receipt, or Payment shall be as effectual as if the said Person being lunatic had been of sane Mind, Memory, and Understanding, and had made, done, or executed the same; but where any Sum of Money shall be payable to such Lunatic, no such last-mentioned Order shall be made if such Sum of Money shall exceed Seven hundred Pounds; and where any Sum not exceeding Seven hundred Pounds shall be payable to such Lunatic, and any such Order shall be made, the Lord Chancellor, intrusted as aforesaid, shall direct to whom and in what Manner the Money so payable shall be paid; and every Payment made in pursuance of such Direction shall effectually discharge the Person paying the same from the Money which he shall so pay.

VI. And

Infant Trustees or Mortgagees empowered to convey by the Direction of the Court of Chancery.

VI. And be it further enacted, That where any Person seised or possessed of any Land upon any Trust or by way of Mortgage shall be under the Age of Twenty-one Years, it shall be lawful for such Infant, by the Direction of the Court of Chancery, to convey the same to such Person and in such Manner as the said Court shall think proper; and every such Conveyance shall be as effectual as if the infant Trustee or Mortgagee had been, at the Time of making or executing the same, of the Age of Twenty-one Years.

Infant Trustees or Mortgagees of Land within the Jurisdiction of the Courts of Lancaster, Chester, Durham, and Wales.

VII. And be it further enacted, That where any Person seised or possessed upon any Trust or by way of Mortgage of any Land situated within the Duchy of *Lancaster*, or the Counties Palatine of *Chester*, *Lancaster*, and *Durham* respectively, or the Principality of *Wales*, shall be under the Age of Twenty-one Years, it shall be lawful for such Infant, by the Direction of the Court of the Duchy Chamber of *Lancaster*, the Court of Exchequer in the County Palatine of *Chester*, the Court of Chancery in the County Palatine of *Lancaster*, the Court of Chancery in the County Palatine of *Durham*, and the several Courts of Great Session in *Wales* respectively, as to Premises within the Jurisdiction of the same Courts respectively, to convey such Lands to such Person and in such Manner as the said Courts respectively shall think proper, in like Manner as such Infant is herein-before empowered to convey the same by the Direction of the Court of Chancery.

When Trustees of Real Estates are out of the Jurisdiction, or it is uncertain whether they be alive, or who may be the Heir, the Court of Chancery may appoint a Person to convey.

VIII. And be it further enacted, That where any Person seised of any Land upon any Trust shall be out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it shall be uncertain, where there were several Trustees, which of them was the Survivor, or it shall be uncertain whether the Trustee last known to have been seised as aforesaid be living or dead, or, if known to be dead, it shall not be known who is his Heir; or if any Trustee seised as aforesaid, or the Heir of any such Trustee, shall neglect or refuse to convey such Land for the Space of Twenty-eight Days next after a proper Deed for making such Conveyance shall have been tendered for his Execution by, or by an Agent duly authorized by, any Person entitled to require the same; then and in every or any such Case it shall be lawful for the said Court of Chancery to direct any Person whom such Court may think proper to appoint for that Purpose, in the Place of the Trustee or Heir, to convey such Land to such Person and in such Manner as the said Court shall think proper; and every such Conveyance shall be as effectual as if the Trustees seised as aforesaid, or his Heir, had made and executed the same.

When Trustees of Leasehold Estates are out of the Jurisdiction, &c.

IX. And be it further enacted, That where any Person possessed of any Land for any Term of Years upon any Trust shall be out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it shall be uncertain whether the Trustee last known to have been possessed as aforesaid be living or dead; or if any Trustee possessed as aforesaid, or the Executor of any such Trustee, shall neglect or refuse to assign or surrender such Land for the Space of Twenty-eight Days next after a proper Deed for making such Assignment

Assignment or Surrender shall have been tendered for his Execution by, or by an Agent duly authorized by, any Person entitled to require the same; then and in every or any such Case it shall be lawful for the said Court of Chancery to direct any Person whom such Court may think proper to appoint for that Purpose, in the Place of the Trustee or Executor, to assign or surrender such Land to such Person and in such Manner as the Court shall think proper; and every such Assignment or Surrender shall be as effectual as if the Trustee possessed as aforesaid, or his Executor, had made and executed the same.

Transfer of Stocks or Funds.

X. And be it further enacted, That where any Person in whose Name, as a Trustee or Executor, (either alone or together with the Name of any other Person,) or in the Name of whose Testator, (whether as a Trustee or beneficially,) any Stock shall be standing, or any other Person who shall otherwise have Power to transfer or join with any other Person in transferring any Stock to which some other Person shall be beneficially entitled, shall be out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it shall be uncertain whether such Person be living or dead; or if any such Trustee or Executor or other Person shall neglect or refuse to transfer such Stock, or receive and pay over the Dividends thereof, to the Person entitled thereto or to any Part thereof respectively, or as he shall direct, for the Space of Thirty-one Days next after a Request in Writing for that Purpose shall have been made to any such Trustee or Executor or other Person by the Person entitled as aforesaid; then and in every or any such Case it shall be lawful for the Court of Chancery to direct such Person as the said Court shall think proper to appoint for that Purpose, in the Place of such Trustee or Executor or other Person, to transfer or join in transferring such Stock to or into the Name of such Person and in such Manner as such Court shall direct, and also to order any Person appointed as aforesaid to receive and pay over or join in receiving and paying over the Dividends of such Stock in such Manner as the said Court shall direct; and every such Transfer, Receipt, and Payment shall be as effectual as if the said Trustee or Executor or other Person had transferred or joined in transferring such Stock, or had received and paid or joined in receiving and paying the said Dividends.

Directions or Orders of the Court of Chancery, or by the Lord Chancellor, &c., under the Authority of this Act, to be made upon Petition.

XI. And be it further enacted, That every Direction or Order to be made in pursuance of this Act by the Lord Chancellor, intrusted as aforesaid, or by the Court of Chancery, or by any other Court herein-before mentioned, shall be signified by an Order to be made in any Cause depending in such Court respectively, or upon Petition in the Lunacy or Matter; and such Person as herein-after is mentioned shall be the Petitioner, whether such Person be or be not under any legal Disability; (that is to say,) if the same shall relate to a Conveyance, Transfer, Receipt, or Payment to or in such Manner as may be directed by any Person beneficially entitled, then upon the Petition of the Person or some or one of the Persons beneficially entitled to the Land, Stock, or Dividends to be conveyed, transferred, received, or paid; and if the same shall relate to a Conveyance in order to vest any Land or Stock in a new Trustee duly appointed

by virtue of some Power or Authority in some Instrument creating or declaring the Trusts of such Land or Stock, or by the Court of Chancery, either alone or together with any continuing Trustee, then upon the Petition either of the Trustee or some or one of the Trustees in whom the same shall be proposed to be vested, or of any Person having an Interest therein; and if the same shall relate to the Conveyance of an Estate in Mortgage, then upon the Petition of the Person or some or one of the Persons entitled to the Equity of Redemption thereof, or of the Person or some or one of the Persons entitled to the Monies thereby secured, or the Guardian or Committee or some or one of the Guardians or Committees of the Person entitled to such Monies, if an Infant or Lunatic.

Lord Chancellor or Court may direct a Bill to be filed to establish the Right.

XII. Provided always nevertheless, and be it further enacted, That where, on account of the Length of Time which shall have elapsed since the Creation or last Declaration of a Trust, the Title of the Person claiming a Conveyance or Transfer may appear to require deliberate Investigation in the Presence of all Parties interested, in order to prevent the vesting of the legal Estate in a Person who may not really be entitled to the Benefit thereof; or if under other Circumstances it shall appear to the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, or any other Court herein-before mentioned, not proper to make an Order upon Petition; it shall be lawful for such Lord Chancellor or any such Court to direct a Bill to be filed to establish the Right of the Party seeking the Conveyance or Transfer, and upon the Establishment by a Decree of such Right, by the same Decree, or any Order in the Cause or in the Lunacy, or both, to direct a Conveyance or Transfer to be made according to the Intent of this Act.

Committees, Infants, &c. may be compelled to convey, transfer, &c.

XIII. And be it further enacted, That any Committee, Infant, or other Person directed by virtue of this Act to make or join in making any Conveyance or Transfer or Receipt or Payment, shall and may be compelled, by the Order to be obtained as herein-before is mentioned, to make and execute the same in like Manner as Trustees of full Age, and of sane Mind, Memory, and Understanding, are compellable to convey, transfer, or receive and pay over the Trust Estates or Funds vested in them respectively.

Mortgage Money belonging to Infants to be paid into the Bank, or as the Court shall direct.

XIV. And be it further enacted, That where the Person or any of the Persons to whom any Money shall be payable, in or towards the Redemption or Discharge of any Mortgage or Incumbrance of which a Release or Conveyance shall be obtained under the Powers of this Act, shall be an Infant, it shall be lawful for the Person by whom such Money shall be payable to pay the same into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery or of the Court of Exchequer, to be placed to his Account in Trust in any Cause then depending in the said Court concerning such Money, or, if there shall be no such Cause, to the Credit of such Infant, subject to the Order and Disposition of the said Court respectively, or to such Person or Persons or in such other Manner as the said Court respectively shall direct; and the

said Court shall and is hereby empowered to order any Money which shall so be paid into Court to be invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, as to the said Court shall seem reasonable; and every Cashier of the Bank of *England* who shall receive any such Money is hereby required to give to the Person paying the same a Receipt for such Money; and such Receipt shall be an effectual Discharge for the Money therein respectively expressed to have been received.

Act to extend to Trustees having an Interest, or having Duty to perform.

XV. And be it further enacted, That every Person, being in other respects within the Meaning of this Act, shall be and be deemed to be a Trustee within the Meaning of this Act, notwithstanding he may have some beneficial Estate or Interest in the same Subject, or may have some Duty as Trustee to perform; but in every such Case, and in every Case of a Mortgagee (not being a naked Trustee), it shall be in the Discretion of the said Lord Chancellor, intrusted as aforesaid, or the said Court of Chancery, if under the Circumstances it shall seem requisite, to direct a Bill to be filed to establish the Right of the Party seeking the Conveyance or Transfer, and not to make the Order for such Conveyance or Transfer unless by the Decree to be made in such Cause, or until after such Decree shall have been made.

Representatives of Vendors to be Trustees within this Act, after a Decree for specific Performance; and Persons in whose Names Purchases are made to be such Trustees.

XVI. And be it further enacted, That where any Land shall have been contracted to be sold, and the Vendor or any of the Vendors shall have departed this Life, either having received the Purchase Money for the same or some Part thereof, or not having received any Part thereof, and a specific Performance of such Contract, either wholly or as far as the same remains to be executed, or as far as the same by reason of the Infancy can be executed, shall have been decreed by the Court of Chancery in the Lifetime of such Vendor or after his Decease, and where One Person shall have purchased an Estate in the Name of another, but the nominal Purchaser shall, on the Face of the Conveyance, appear to be the real Purchaser, and there shall be no Declaration of Trust from him, and a Decree of the said Court, either before or after the Death of such nominal Purchaser, shall have declared such nominal Purchaser to be a Trustee for the real Purchaser, then and in every such Case the Heir of such Vendor, or such nominal Purchaser or his Heir, in whom the Premises shall be vested, shall be and be deemed to be a Trustee for the Purchaser within the Meaning of this Act.

Tenants for Life, &c. of Estates devised in Settlement, and contracted to be sold, may be directed to convey, after a Decree for specific Performance.

XVII. And be it further enacted, That where any Land shall have been contracted to be sold, and the Vendor or any of the Vendors shall have departed this Life, having devised the same in Settlement so as to be vested in any Person for Life or other limited Interest, with any Remainder, Limitation, or Gift over which may not be vested, or may be vested in some Person from whom a Conveyance of the same cannot be obtained, or by way of Executory Devise, and a specific Performance of such Contract, either wholly or so far as the same remained to be executed, shall have been decreed by the Court of Chancery, it shall be lawful for the Court by whom such Decree shall be made, by the same or any other Decree, or any Decretal

Decretal Order, or upon Petition in the Cause, to direct any such Tenant for Life or other Person having a limited Interest, or the first Executory Devisee thereof, to convey the Fee Simple or other the whole Estate contracted to be sold to the Purchaser, or in such Manner as the said Court shall think proper; and every such Conveyance shall be as effectual as if the Person who shall make the same were seised of the Fee Simple or other the whole Estate contracted to be sold.

Act to extend to other constructive and resulting Trusts, when declared by Decree.

XVIII. And be it further enacted, That the several Provisions herein-before contained shall extend to every other Case of a constructive Trust, or Trust arising or resulting by Implication of Law; but in every such Case where the alleged Trustee has or claims a beneficial Interest adversely to the Party seeking a Conveyance or Transfer, no Order shall be made for the Execution of a Conveyance or Transfer by such alleged Trustee until after it has been declared by the Court of Chancery, in a Suit regularly instituted in such Court, that such Person is a Trustee for the Person so seeking a Conveyance or Transfer; but this Act shall not extend to Cases upon Partition, or Cases arising out of the Doctrine of Election in Equity, or to a Vendor, except in any Case herein-before expressly provided for.

Husbands of Female Trustees to be deemed Trustees within the Act.

XIX. And be it further enacted, That where any Feme Covert would be a Trustee, Mortgagee, Heir, or Executor, within the Provisions of this Act, if she were an Infant or Lunatic, or out of the Jurisdiction or not amenable to the Process of the Court of Chancery or Exchequer, or had refused or neglected as aforesaid to execute or make such Conveyance, Transfer, Receipt, or Payment as herein-before is mentioned, and the Concurrence of her Husband shall be necessary in any Conveyance, Transfer, Receipt, or Payment which ought to be made or executed by her as such Trustee, Mortgagee, Heir, or Executor, then and in any such Case such Husband, whether under any Disability or not, shall be and be deemed to be a Trustee within the Meaning of this Act.

Provisions as to Lunacy to extend to all Persons compellable to convey.

XX. And be it further enacted, That the Provisions herein-before contained for obtaining Conveyances from any Person being lunatic shall extend to and include all Persons being lunatic who, by force of any Law for Payment of Debts out of Real Estate, would or hereafter may be compellable to convey any Land if of sound Mind.

Act to extend to Petitions, in Cases of Charity and Friendly Societies.

XXI. And be it further enacted, That the Provisions herein-before contained shall extend and be construed to extend to all Cases of Petitions in which the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, or any of the Judges thereof, is by Law authorized and empowered to grant Relief and make summary Orders without Suit, either in Matters of Charity, or relative to or for the better Security, or for the Application, Receipt, Payment, or Transfer of any of the Funds thereof, or in Matters relative to any Benefit or Friendly Societies, or for the better Security, or for the Application, Receipt, Payment, or Transfer of any of the Funds thereof.

XXII. And

In certain Cases, the Lord Chancellor or Court of Chancery may appoint new Trustees, upon Petition.

XXII. And whereas Cases may occur, upon Applications by Petition under this Act for a Conveyance or Transfer, where the recent Creation or Declaration of the Trust or other Circumstances may render it safe and expedient for the Lord Chancellor, intrusted as aforesaid, or the Court of Chancery, (as the Case may require,) to direct, by an Order upon such Petition, a Conveyance or Transfer to be made to a new Trustee or Trustees, without compelling the Parties seeking such Appointment to file a Bill for that Purpose, although there is no Power in any Deed or Instrument creating or declaring the Trusts of such Land or Stock to appoint new Trustees; be it therefore further enacted, That in any such Case it shall be lawful for the Lord Chancellor, intrusted as aforesaid, or the said Court of Chancery, to appoint any Person to be a new Trustee, by an Order to be made on a Petition to be presented for a Conveyance or Transfer under this Act, after hearing all such Parties as the said Court shall think necessary; and thereupon a Conveyance or Transfer shall and may be made and executed, according to the Provisions herein-before contained, to or so as to vest such Land or Stock in such new Trustee, either alone or jointly with any surviving or continuing Trustee, as effectually and in the same Manner as if such new Trustee had been appointed under a Power in any Instrument creating or declaring the Trusts of such Land or Stock, or in a Suit regularly instituted.

Court of Chancery empowered to appoint new Trustees of Charities.

XXIII. And be it further enacted, That where all the Persons in whom any Land may have been vested, in Trust for any Charity or charitable or public Purpose, shall be dead, it shall be lawful for the Court of Chancery, on the Petition of the Persons or Body administering such Charity or superintending such public Purpose, or of any Person on behalf thereof, to direct any Master or other Officer of the said Court to cause Two successive Advertisements to be inserted in the *London Gazette* and in One or more of the Newspapers circulated in the County, City, or Place where such Land shall be situated, giving Notice that the Representative of the last surviving Trustee do within Twenty-eight Days appear or give Notice of his Title to such Master or other Officer, and prove his Pedigree or other Title as Trustee; and if no Person shall appear to give such Notice within such Twenty-eight Days, or the Person who may appear or give such Notice shall not, within Thirty-one Days after such Appearance or Notice, prove his Title to the Satisfaction of such Master or other Officer, then and in such Case it shall be lawful for the said Court to appoint any new Trustees for such Charity or charitable or public Purpose; and such Land may be conveyed to such new Trustees by any Person whom the said Court respectively may direct for that Purpose, by virtue of the Provisions in this Act, without the Necessity of any Decree.

Manner of Proceeding where Trustees, Defendants in Equity, cannot be found.

XXIV. And be it further enacted, That where in any Suit commenced or to be commenced in the Court of Chancery it shall be made to appear to the Court by Affidavit that diligent Search and Inquiry has been made after any Person made a Defendant who is only a Trustee, to serve him with the Process of the Court, and that he cannot be found, it shall be lawful for the said Court to hear and

determine such Cause, and to make such absolute Decree therein against every Person who shall appear to them to be only a Trustee, and not otherwise concerned in Interest in the Matter in question, in such and the same Manner as if such Trustee had been duly served with the Process of the Court, and had appeared and filed his Answer thereto, and had also appeared by his Counsel and Clerk at the Hearing of such Cause: Provided always, that no such Decree shall bind, affect, or in anywise prejudice any Person against whom the same shall be made without Service of Process upon him as aforesaid, his Heirs, Executors, or Administrators, for or in respect of any Estate, Right, or Interest which such Person shall have at the Time of making such Decree, for his own Use or Benefit, or otherwise than as a Trustee as aforesaid.

Costs may be directed to be paid.

XXV. And be it further enacted, That the Lord Chancellor, intrusted as aforesaid, and the Court of Chancery, may order the Costs and Expences of and relating to the Petitions, Orders, Directions, Conveyances, and Transfers to be made in pursuance of this Act, or any of them, to be paid and raised out of or from the Land or Stock or the Rents or Dividends in respect of which the same respectively shall be made, or in such other Manner as the said Lord Chancellor or Court shall think proper.

Powers given to the Lord Chancellor of Great Britain;

XXVI. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall extend to all Land and Stock within any of the Dominions, Plantations, and Colonies belonging to His Majesty (except *Scotland* and *Ireland*).

which may be exercised by the Lord Chancellor of Ireland.

XXVII. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall and may be exercised in like Manner by and are hereby given to the Lord Chancellor of *Ireland*, intrusted as aforesaid, with respect to all Land and Stock in *Ireland*.

Powers given to the Lord Chancellor to extend to the Lord Keeper and Commissioners.

XXVIII. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall and may be exercised in like Manner by and are hereby given to the Lord Keeper or Commissioners of the Great Seal of *Great Britain* for the Time being, intrusted as aforesaid; and the Powers and Authorities given by this Act to the Lord Chancellor of *Ireland*, intrusted as aforesaid, shall and may be exercised in like Manner by and are hereby given to the Lord Keeper or Commissioners of the Great Seal of *Ireland* for the Time being, intrusted as aforesaid.

Powers given to the Court of Chancery in England;

XXIX. And be it further enacted, That the Powers and Authorities given by this Act to the Court of Chancery in *England* shall extend to all Land and Stock within any of the Dominions, Plantations, and Colonies belonging to His Majesty (except *Scotland*).

which may be exercised by the Court of Exchequer.

XXX. And be it further enacted, That the Powers and Authorities given by this Act to the Court of Chancery, and the Provisions

contained in this Act relating to the said Court, shall and may be exercised in like Manner by and are hereby given and extended to the Court of Exchequer.

Powers given to Courts in England may be exercised by the same Courts in Ireland.

XXXI. And be it further enacted, That the Powers and Authorities given by this Act to the Courts of Chancery and Exchequer in *England*, and the Provisions contained in this Act relating to the same Courts, shall and may be exercised in like Manner and are hereby given and extended to the several Courts of Chancery and Exchequer in *Ireland*, with respect to all Land and Stock in *Ireland*.

Who shall be named in the Orders of the Court for making Transfers.

XXXII. Provided always, and be it further enacted, That in all Cases in which Orders shall be made, in pursuance of this Act, for the Transfer of Stock, the Person to be named in such Order for making such Transfer shall either be the Committee of the Estate of the Person being lunatic in whose Place such Transfer shall be made, or a Co-trustee or Co-executor of the Person in whose Place such Person shall be directed to transfer, or some Officer of the Company or Society in whose Books the same respectively shall be directed to be made; and where such Transfer shall be directed to be made in Books kept by the Governor and Company of the Bank of *England*, such Officer shall be the Secretary or Deputy Secretary or Accountant General for the Time being of the said Governor and Company, or his Deputy.

Act to be an Indemnity to the Bank and other Companies.

XXXIII. And be it further enacted, That this Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and all other Companies and Societies, and their Officers and Servants, for all Acts and Things done or permitted to be done pursuant thereto, and that such Acts and Things shall not be questioned or impeached in any Court of Law or Equity to their Prejudice or Detriment.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXI.

An Act to regulate the Applotment of County Rates and Cesses in *Ireland*, in certain Cases.

[23d *July* 1830.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the Amendment of public Roads, for directing the Power of Grand Juries respecting Presentments, and for repealing several Laws heretofore made for that Purpose*, it is enacted, that the Clerk of the Crown of every County in *Ireland* shall, within Four Days after every Assizes, deliver to the Treasurer of such County Copies of all Presentments made at such Assizes, and that such Treasurer shall, within One Month after he shall have received such Copies of the Presentments, issue his Warrants to the several Persons who under the Provisions of the said Act are to be the Collectors for levying and collecting the Sums to be raised off each Barony and Half Barony of such County, and that every Person empowered to receive such Warrants, to whom the same shall be sent, shall, within Ten Days after he shall have received such Warrant, deliver or send to the Seneschal or Churchwardens of each Manor, Parish, or Denomination of Land contained in such Warrant, (or in case there shall be no Seneschal or Churchwarden of the same, then to any principal residing Inhabitant, if he shall be required so to do by any Two Landholders of any such Manor, Parish, or Denomination of Land, or if he shall deem 36 G. 3. (I.)

deem it necessary so to do,) an Account in Writing, signed by himself, of the Sum he is required by the said Warrant to levy upon such Manor, Parish, or Denomination, and to desire that such Sum may be applotted thereon; and every Person receiving such Account is required to convene a Meeting of the Landholders and Inhabitants of such Manor, Parish, or Denomination, to choose Two or more Persons to applot the said Sum fully and justly, which Applotment shall be delivered within Thirty Days to the Person who shall have been empowered to collect the same; and such Collector is authorized to collect the Sum so applotted by Sale and Distress of the Goods and Chattels of the Persons who shall appear by the said Applotment to be liable to pay the same: And whereas the Applotters so chosen have in some Instances applotted on barren Lands, which never had within the Memory of Man, previous to such Applotment, paid any County Cess or Rates, an acreable Sum at as high a Rate as the most fertile and valuable Lands were assessed to: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no barren Lands which never have been assessed to the County Rates within the Memory of Man, previous to the First Day of *January* One thousand eight hundred and twenty-six, shall be liable thereto, save and except so much of such Parts thereof as shall have been or shall be, since the said First Day of *January* One thousand eight hundred and twenty-six, brought into Cultivation, (and also save and except as is herein-after further excepted,) until the County Cess on the Barony or Half Barony in which such Manor, Parish, or Denomination is situate, shall be imposed under the Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act to make Provision for the uniform Valuation of Lands and Tenements within the several Baronies, Parishes, and other Divisions of Counties in* Ireland, *for the Purpose of the more equally levying the Rates and Charges upon such Baronies, Parishes, and Divisions respectively.*

Barren Lands, that were not assessed previous to 1st Jan. 1830, shall not be liable to the County Cess.

7 G. 4. c. 62.

Penalty for applotting such Lands.

II. And be it further enacted, That if any Applotter or Applotters so appointed shall, after the passing of this Act, wilfully applot any County Rate or Cess to be raised and levied off such barren Lands as aforesaid, every Person so offending shall for every such unlawful Applotment forfeit the Sum of Five Pounds, to be recovered and applied in like Manner as the Penalties imposed by the said recited Act passed in the Thirty-sixth Year of the Reign of His Majesty King *George* the Third.

III. And whereas by an Act passed in the Forty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending the* Irish *Road Acts*, and by another Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to repeal an Act of the last Session of Parliament, relative to the forming Tables of Manors, Parishes, and Townlands in* Ireland, *and to make Provision for ascertaining the Boundaries of the same*, Provisions have been enacted to enable Grand Juries to form Tables and present them as the Tables by which the several Manors, Parishes, and

49 G. 3. c. 84.

6 G. 4. c. 99.

Denominations in Baronies and Half Baronies should be proportionably rated for the Purpose of levying all Money to be raised thereon by Presentments of Grand Juries: And whereas, in pursuance of the said Acts respectively, certain Tables have been formed or are now in progress, but Presentments of the same have not been made by any Grand Juries; and it is deemed expedient that further Enactments should be made for the Purpose of fairly assessing and applotting the County Levies; and it is expedient to amend the said Acts for the Purpose of affording the Benefit thereof to such County or Counties in *Ireland* as have had Tables of the Names of the several Baronies, Parishes, Manors, Denominations, or other Divisions of Lands within such County, with the Contents thereof, formed pursuant to the Provisions of the said Acts passed in the Forty-ninth Year of the Reign of His Majesty King *George* the Third and the Sixth Year of the Reign of His late Majesty, containing the relative annual Value as well as the Names and Contents of the several Baronies, Parishes, Manors, Denominations, or other Divisions of Lands from which such Levies should be collected; be it therefore enacted, That in any County, County of a City, or County of a Town in *Ireland*, where Funds have been raised by and under Presentments of Grand Juries to provide for the Expences of forming County Books, for the Purpose of equalizing the County Levies, and that Tables have been formed of the Names of the several Baronies, Parishes, Manors, Denominations, or other Divisions within such County, for such Purpose, pursuant to the Provisions of the said Act of the Forty-ninth Year of the Reign of His said Majesty King *George* the Third, together with the acreable Contents and relative annual Value thereof respectively, it shall and may be lawful for the Grand Juries of each and every County, County of a City, and County of a Town in *Ireland*, so circumstanced, and they are hereby required, at the Summer or Spring Assizes next ensuing the passing of this Act, or at any subsequent Assizes, to present such County Books, Barony Books, and Tables so formed as aforesaid, to be the County Books and Tables by which the several Baronies, Parishes, Manors, Denominations, or other Divisions of Land, Borough Towns, and Towns Corporate therein contained and set forth shall in future be proportionably rated, until it shall be found necessary or expedient to alter or amend the same as herein-after provided, for the Purpose of levying all Money to be raised thereon under Presentments of Grand Juries, according to their respective acreable Contents, relative annual Value, and Scale or Scales of Proportions of such Sums to be raised as are set forth and recorded in such County Books and Tables aforesaid, as well for the Applotment of the due Proportion which each Barony, Half Barony, Parish, Manor, Denomination, Division, Borough Town, and Town Corporate should pay off the gross Levy on the County at large, as for the Applotment of all Baronial and Parochial Presentments.

Where Funds have been raised to provide for the Expence of forming Books and Tables, the Grand Jury may present them to be used for making the Rates.

IV. And be it further enacted, That it shall and may be lawful for the Treasurer of each County, County of a City, or County of a Town, and he is hereby required, to applot or cause to be applotted the Amount of the several Grand Jury Presentments of each and every future Assizes, subsequent to the Presentments of such County Books

Treasurers of Counties to applot the Amount of the several Grand Jury Presentments

according to the aforesaid Tables.

Books and Tables as aforesaid, upon the several Baronies, Manors, Parishes, Denominations, and Divisions of Lands, Borough Towns, Towns Corporate, or Liberties, in the said County Books contained and set forth, in the Proportion and according to the Tables, Scale and Scales of the Applotments laid down and recorded in such County Books and Applotment Tables aforesaid, as the same apply to the several Denominations and Divisions therein contained respectively; and that it shall and may be lawful for any Grand Jury to present any Sum which shall be in arrear and unpaid of any Grand Jury Levy to be raised at any Time after the passing of this Act by or out of any Barony or Half Barony, Division, Townland, or Denomination, Borough Town or Town Corporate, or by or out of any Part or Portion thereof respectively, or out of the Liberties thereof, to be levied therefrom distinctly, and according to the Tables aforesaid, upon just Cause being shown and due Diligence used to collect the same, in the first instance, by the High Constable or Collector to whom the Treasurer's Warrant had been directed to levy and collect the same, or by his Deputy or Deputies duly authorized by him to act on his Behalf.

Applotters to applot Lands according to their relative annual Value.

V. And be it also further enacted, That in Counties where such County Books shall have been made and presented as aforesaid, the several Persons who shall be chosen Applotters according to the Provisions of the Act of the Thirty-sixth Year of the Reign of King *George* the Third, herein-before recited, shall applot the several Sums so to be levied upon such Manors, Parishes, or Denominations fairly and justly, according to the relative annual Value of the several Subdivisions of the Lands therein contained.

Collectors may levy by Distress, if necessary, the Sums required to be collected.

VI. And be it further enacted, That it shall and may be lawful for every High Constable and Collector to whom such Treasurer's Warrant shall be directed, and for his Deputy and Deputies duly authorized to act on his Behalf, to levy by Distress, if Need be, all Sums of Money which he shall be by said Warrant required to collect from the several Denominations in such Warrant contained, and as the same shall be therein applotted, according to the Provisions herein contained, giving the regular Notices, and performing the Requisites prescribed by Law for his Government in the due Execution of his Office, and also giving Notice in Writing of the Time and Place of Sale Twenty-four Hours at the least before such Sale shall take place, to expose such Distress to public Auction and Sale at any Time and Place he shall find convenient, within Four Days from the Period of the Seizure thereof, and to proceed to sell, during the Day-time only, to the best Bidder, such Distress, or a competent Part thereof to provide for the Amount in arrear and unpaid of the Sum he has been required to collect, together with One Shilling in the Pound for his Fees thereon, rendering the Overplus, if any, to the Owner or Owners of such Distress or Distresses: Provided always, that every High Constable, Collector, or other Person duly authorized, who shall receive or levy Money under the Provisions of this Act, shall and he is hereby required to give a Receipt for the same, if demanded, which Receipt shall specify the Amount paid, the Name of the Person paying the same, and also the Denomination

nation or Subdivision of Land out of or on account of which such Payment shall be made.

In Actions the Defendant may plead the General Issue.

VII. And be it further enacted, That in any Action arising out of or in consequence of or for the Defence of any Distress taken by or under the Authority of any High Constable acting in obedience to the Treasurer's Warrant, the Defendant or Defendants may plead the General Issue, or, in any Suit in Replevin arising out of or in consequence thereof, avow the taking of such Distress by virtue of the Treasurer's Warrant, and that such Avowry shall be deemed and is hereby declared to be a valid Plea in Law, whereupon the Parties shall join Issue, without further Plea or Demurrer or Form whatever, and proceed to Trial on the Merits only.

Grand Jury may levy Expences incurred in making and defending Distresses.

VIII. And be it further enacted, That it shall and may be lawful for all Grand Juries in *Ireland* to present, to be levied on the County at large, County of a City, or County of a Town, or on any Barony or Half Barony, as shall appear just and expedient to such Jury and to the Judge of Assize, all Costs and Expences incurred in making and defending such Distress and Distresses so taken under the Treasurer's Warrant as aforesaid, and in defending all Suits and Actions in which the Officers of the County may be involved in the due Execution of their respective Duties, and also to present thereon any Sum that may be necessary for completing and carrying into execution the Equalization of the County Levies, for the Purpose of which County Books have been as aforesaid framed, provided the Expence thereof shall not exceed in the whole Three-pence for every Statute Acre on the gross acreable Contents of the County, as recorded therein.

Tables and Books to be signed by the Foreman of the Grand Jury.

IX. Provided always, and be it enacted, That the several and respective Tables and Books so to be formed and presented as aforesaid shall have the Presentment of the Grand Jury of each County, County of a City, or County of a Town, written at the Bottom of the Tables and in the Books so to be presented, and signed by the Foreman of the Grand Jury on behalf of himself and his fellow Grand Jurors, which Presentment shall state the Assizes at which such Table or Book is presented and fiatted, and that the Grand Jury have presented the same respectively to be the Tables of the County and Barony for the Purpose of levying the several Sums presented thereon; and such Books and Tables shall be kept by the Clerk of the Crown among the Records of such County, County of a City, or County of a Town, as the Case may be; and that a Copy or Copies of any Part or Parts of the said Books or Tables, duly compared and attested by the Clerk of the Crown or his Deputy, or by the Treasurer of the County, County of a City, or County of a Town, as also said original Books or Tables, shall be received as Evidence in all Courts of Law and Equity.

Grand Juries may alter Books and Tables when necessary.

X. And be it further enacted, That it shall and may be lawful for the Grand Juries of such Counties, Counties of Cities, or Counties of Towns respectively, as shall be provided with such County Books, Barony Books, and Tables as aforesaid, to alter and amend the same,

as it may be deemed necessary or expedient by such Grand Jury so to do, at any Period after the Lapse of Seven Years succeeding the first Levy to be made conformably thereto, and at such subsequent Periods after the Lapse of every Twenty-one Years from the Period at which every such subsequent Alteration or Amendment shall be so made: Provided always, that Notices of such Alteration or Amendment shall be duly published, and all Objections thereto heard and determined, as prescribed by the aforesaid Act of the Forty-ninth Year of His Majesty King *George* the Third; and such County Books, Barony Books, and Tables, when so altered or amended, shall be presented to be the Books and Tables by which such County, County of a City, or County of a Town shall be thenceforth proportionably applotted for the Purpose of levying all Money to be raised under the Presentments of Grand Juries, until such further Alteration or Amendment shall be made therein as by this Act is provided.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXII.

An Act for raising the Sum of Thirteen millions six hundred and seven thousand six hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty.

[23d *July* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted unto Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* at any Time or Times to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the Whole the Sum of Thirteen millions six hundred and seven thousand six hundred Pounds, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are prescribed in an Act passed in the Forty-eighth Year of the Reign of His

The Treasury may raise 13,607,600*l.* by Exchequer Bills, in like Manner as is prescribed by 48 G. 3. c. 1.

His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

II. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Act shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Treasury to apply the Money.

III. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Bills to be payable out of the Supplies of the next Session;

IV. And be it further enacted, That the principal Sum or Sums of Money to be contained in such Exchequer Bills shall be and are hereby charged and chargeable upon and shall be paid and discharged by and out of the first Supplies to be granted in the next Session of Parliament.

to bear an Interest not exceeding $3\frac{1}{2}$d. per Cent. per Diem;

V. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the Whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Receipt of His Majesty's Exchequer at *Westminster*.

and to be current at the Exchequer after April 5, 1831.

VI. And be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall and may, from and after the Fifth Day of *April* One thousand eight hundred and thirty-one, be received and taken and shall pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable to His Majesty, His Heirs and Successors, and also at the Receipt of the said Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to His Majesty, His Heirs and Successors, for or upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act, and that such of the same Bills as shall be received at the said Exchequer shall and may be locked up and secured as Cash, according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

VII. And

VII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of Twelve Millions, any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Bank of England may advance 12,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXIII.

An Act to apply the Sum of One million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty; and to appropriate the Supplies granted in this Session of Parliament.

[23d *July* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards raising the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, the Sum of One million five hundred thousand Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of His Majesty's Treasury of the United Kingdom

There shall be applied, for the Service of the Year 1830, 1,500,000*l.* out of the Consolidated Fund.

 of

of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 1,500,000*l.* of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, from Time to Time by Warrant under their Hands to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole the Sum of One million five hundred thousand Pounds, and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bills to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed as so much Cash in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash; any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash according to the Course of the Receipt of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such

Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Bank of England may advance 1,500,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of One million five hundred thousand Pounds, any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary thereof notwithstanding.

Monies coming into the Exchequer by 11 G. 4. c. 2.;

12,000,000*l.* by Exchequer Bills, 11 G. 4. c. 3.;

IX. And be it further enacted, That all the Monies coming into the Exchequer of *Great Britain* by an Act of this Session of Parliament, intituled *An Act to apply certain Sums of Money out of the Consolidated Fund, and from the Aids granted for the Year One thousand eight hundred and twenty-nine, to the Service of the Year One thousand eight hundred and thirty;* and also the Sum of Twelve Millions granted by one other Act of this Session of Parliament, intituled *An Act for raising the Sum of Twelve Millions by Exchequer Bills for the Service of the Year One thousand eight hundred and thirty;*

Monies coming in by 11 G. 4. c. 4.; *thirty;* and also all the Monies coming into the said Exchequer by one other Act of this Session of Parliament, intituled *An Act for appropriating certain Sums for the Service of the Year One thousand eight hundred and thirty;* and also all the Monies coming into the said Exchequer by one other Act of this Session of Parliament,

11 G. 4. c. 6.; intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions, in* England, *for the Service of the Year One thousand eight hundred and thirty;* and also all the Monies coming into the said Exchequer by one other

11 G. 4. c. 28; Act of this Session of Parliament, intituled *An Act to apply a certain Sum of Money out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty;* and also all the Monies coming into the said Exchequer by one other Act of this Session of Parliament,

and 11 G. 4. c. 50.; intituled *An Act for granting to His Majesty until the Fifth Day of* April *One thousand eight hundred and thirty-one certain Duties on Sugar imported into the United Kingdom, for the Service*

13,607,600*l.* by Exchequer Bills, 11 G. 4. c. 62. *of the Year One thousand eight hundred and thirty;* and also the Sum of Thirteen millions six hundred and seven thousand six hundred Pounds, granted by one other Act of this Session of Parliament, intituled *An Act for raising the Sum of Thirteen millions six hundred and seven thousand six hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty;* and also

and also 1,500,000*l.* by this Act, shall be applied as hereafter expressed. the Sum of One million five hundred thousand Pounds, by this Act granted, shall be further appropriated and are hereby appropriated, and shall be issued and applied for and towards the several Uses and Purposes hereafter expressed.

There shall be applied 5,594,955*l.* 5*s.* 8*d.* for Naval Services; *viz* X. And be it further enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Five millions five hundred ninety-four thousand nine hundred and fifty-five Pounds Five Shillings and Eight-pence, for and towards the Naval Services hereinafter more particularly mentioned; (that is to say,)

980,200*l.* for Wages of 29,000 Men for 13 Months; any Sum or Sums of Money not exceeding Nine hundred and eighty thousand and two hundred Pounds, for Wages for Twenty-nine thousand Men, including Nine thousand Royal Marines, for Thirteen Lunar Months, from the First Day of *January* One thousand eight hundred and thirty, at the Rate of Two Pounds Twelve Shillings *per* Man *per*

603,200*l.* for their Victuals; Month; and any Sum or Sums of Money not exceeding Six hundred and three thousand two hundred Pounds, for Victuals for the said Twenty-nine thousand Men for Thirteen Lunar Months, at the Rate

52,216*l.* 5*s.* 1*d.* for Salaries, &c. of the Admiralty Office; of One Pound Twelve Shillings *per* Man *per* Month; and any Sum or Sums of Money not exceeding Fifty-two thousand two hundred and sixteen Pounds Five Shillings and One Penny, to defray the Salaries of the Officers and the contingent Expences of the Admiralty Office, for the Year One thousand eight hundred

32,033*l.* 1*s.* 6*d.* for the Navy Pay Office; and thirty; and any Sum or Sums of Money not exceeding Thirty-two thousand and thirty-three Pounds One Shilling and Sixpence, to defray the Salaries of the Officers and the contingent Expences of the Navy Pay Office, for the Year One thousand eight

57,560*l.* 15*s.* for the Navy Office; hundred and thirty; and any Sum or Sums of Money not exceeding Fifty-seven thousand five hundred and sixty Pounds and Fifteen Shillings, to defray the Salaries of the Officers and the contingent Expences

Expences of the Navy Office for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-eight thousand two hundred and seven Pounds and Ten Shillings, to defray the Salaries of the Officers and the contingent Expences of the Victualling Office, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred thirty-seven thousand four hundred and sixty Pounds Ten Shillings and Eight-pence, to defray the Salaries of the Officers and the contingent Expences of His Majesty's Yards at Home, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Four hundred fifty-eight thousand seven hundred and twenty Pounds, to pay the Wages of Artificers and Labourers employed in His Majesty's Yards at Home, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Six hundred and eighty thousand Pounds, to defray the Charges for Timber and other Materials, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventy-five thousand Pounds, to defray the Charge for Pilotage and other Contingencies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty-six thousand four hundred and ninety-four Pounds Fifteen Shillings and Three-pence, to defray the Salaries of the Officers and the contingent Expences of the Foreign Yards, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty-one thousand and thirty-eight Pounds and Five Shillings, to defray the Salaries of the Officers and the contingent Expences of the Victualling Yards, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty-four thousand and twenty-six Pounds Seven Shillings and Sixpence, to defray the Salaries of the Officers and the contingent Expences of the Naval Medical Establishments, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eight hundred and forty-five Pounds Eight Shillings and Three-pence, to defray the Salaries of the Officers and the contingent Expences of the Royal Naval College and School for Naval Architecture, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred and five thousand eight hundred and thirty-four Pounds and Four-pence, to pay the Wages, Allowances, and Victuals of the Officers and Men of Vessels in Ordinary, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twenty-seven thousand eight hundred and seventy Pounds, to defray the Expences of the Hire of Packets, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eight hundred and fifty-four thousand Pounds, to defray the Charge of Half Pay to Naval Officers, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Two hundred ninety-six thousand and sixty-three Pounds Seventeen Shillings and Nine-pence, for Superannuations, Pensions, and Allowances to Naval Officers, their Widows and Relatives, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One thousand five hundred Pounds, to defray the Charge for Bounty to Chaplains,

38,207*l.* 10*s.* for Expences of the Victualling Office;

137,460*l.* 10*s.* 8*d.* for Salaries, &c. of His Majesty's Yards at Home;

458,720*l.* for Wages to Artificers in ditto;

680,000*l.* for Timber, &c.;

75,000*l.* for Pilotage, &c.;

66,494*l.* 15*s.* 3*d.* Expences of Foreign Yards;

61,038*l.* 5*s.* for Salaries, &c. of Victualling Yards;

64,026*l.* 7*s.* 6*d.* for Naval Medical Establishments;

845*l.* 8*s.* 3*d.* for Royal Naval College, &c.;

105,834*l.* 0*s.* 4*d.* for Wages, &c. for Vessels in Ordinary;

27,870*l.* for Hire of Packets;

854,000*l.* for Naval Half Pay;

296,063*l.* 17*s.* 9*d.* for Superannuations, &c;

1,500*l.* for Chaplains;

270,000*l.* for Out-Pensioners of *Greenwich*;

Chaplains, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Two hundred and seventy thousand Pounds, towards the Payment of the Out-Pensioners of *Greenwich* Hospital, for the Year One thousand eight hundred and thirty;

173,684*l.* 9*s.* 4*d.* for Superannuations, &c. in Naval Departments;

and any Sum or Sums of Money not exceeding One hundred seventy-three thousand six hundred and eighty-four Pounds Nine Shillings and Four-pence, to defray the Charge of Superannuations to Commissioners, Secretaries, Clerks, *et cetera*, and of Allowances in lieu of Half Pay to Naval Officers formerly employed in Naval Departments, for the Year One thousand eight hundred and thirty;

99,000*l.* for the Dock Yards;

and any Sum or Sums of Money not exceeding Ninety-nine thousand Pounds, to defray the Charge of Repairs and Improvements in the Dock Yards, for the Year One thousand eight hundred and thirty;

210,000*l.* for Provisions on Foreign Stations, &c.;

and any Sum or Sums of Money not exceeding Two hundred and ten thousand Pounds, to defray the Charge for the Purchase of Provisions for Troops and Garrisons on Foreign Stations, and for the Convict Service, and the Value of Rations for Troops to be embarked on board Ships of War and Transports, for the Year One thousand eight hundred and thirty;

250,000*l.* for Transport Service.

and any Sum or Sums of Money not exceeding Two hundred and fifty thousand Pounds, to defray the Charge of the Transport Service, for the Year One thousand eight hundred and thirty.

There shall also be issued 6,365,159*l.* 8*s.* 7½*d.* for Land Forces; viz.

XI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Six millions three hundred sixty-five thousand one hundred and fifty-nine Pounds Eight Shillings and Seven-pence Halfpenny, for and towards maintaining His Majesty's Land Forces, and other Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding

3,015,333*l.* 2*s.* 7*d.* for the Forces in the United Kingdom and Stations Abroad (except the *E. Indies*);

Three millions fifteen thousand three hundred and thirty-three Pounds Two Shillings and Seven-pence, for defraying the Charge of His Majesty's Land Forces for Service in the United Kingdom of *Great Britain* and *Ireland*, and on Stations Abroad (excepting the Regiments employed in the Territorial Possessions of the *East India* Company), from the Twenty-fifth Day of *December* One thousand eight hundred and twenty-nine to the Twenty-fourth Day of *December* One thousand eight hundred and thirty, both Days inclusive;

109,347*l.* 11*s.* 4*d.* for General Staff Officers, &c.;

and any Sum or Sums of Money not exceeding One hundred and nine thousand three hundred and forty-seven Pounds Eleven Shillings and Four-pence, for defraying the Charge of General Staff Officers and Officers of the Hospitals serving with His Majesty's Forces in the United Kingdom of *Great Britain* and *Ireland*, and on Foreign Stations (excepting *India*), for the Year One thousand eight hundred and thirty;

106,530*l.* 15*s.* 3*d.* for Allowances to Officers, &c. of Public Departments;

and any Sum or Sums of Money not exceeding One hundred and six thousand five hundred and thirty Pounds Fifteen Shillings and Three-pence, for defraying the Charge of the Allowances to the principal Officers of the several Public Departments in *Great Britain* and *Ireland*, their Deputies, Clerks, and contingent Expences, for the Year One thousand eight hundred and thirty;

14,420*l.* for Medicines, &c. for the Forces;

and any Sum or Sums of Money not exceeding Fourteen thousand four hundred and twenty Pounds, for defraying the Charge of Medicines and Surgical Materials for His Majesty's Land Forces, and of certain Hospital Contingencies, for the

Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty thousand six hundred and twelve Pounds Eight Shillings and One Penny, for defraying the Charge of Volunteer Corps in the United Kingdom of *Great Britain* and *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred and twenty-six thousand Pounds, for defraying the Charge of the Pay of General Officers in His Majesty's Forces, not being Colonels of Regiments, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-six thousand six hundred and sixty-nine Pounds Seven Shillings and Eight-pence, for defraying the Charge of His Majesty's Garrisons at Home and Abroad, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred and four thousand Pounds, for defraying the Charge of Full Pay for reduced, retired, and unattached Officers of His Majesty's Forces, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seven hundred and twenty thousand eight hundred fifty-nine Pounds Twelve Shillings and Ten-pence, for defraying the Charge of Half Pay and Military Allowances to reduced and retired Officers of His Majesty's Land Forces, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Ninety-four thousand nine hundred Pounds, for defraying the Charge of Half Pay and reduced Allowances to Officers of disbanded Foreign Corps, of Pensions to wounded Foreign Officers, and of Allowances to the Widows and Children of deceased Foreign Officers, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Forty-seven thousand six hundred and eighty-six Pounds One Shilling and One Penny, for defraying the Charge of the In-Pensioners of *Chelsea* Hospital and of the Royal Hospital near *Kilmainham*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One million two hundred forty-one thousand six hundred and one Pounds Seventeen Shillings and Eight-pence, for defraying the Charge of the Out-Pensioners of *Chelsea* Hospital, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred forty-five thousand two hundred and sixty-seven Pounds, for defraying the Charge of Pensions to be paid to the Widows of Officers of His Majesty's Land Forces, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred eighty-five thousand and thirty-six Pounds, for defraying the Charge of Allowances on the Compassionate List, of Allowances as of His Majesty's Royal Bounty, and of Pensions to Officers for Wounds, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Fifty-four thousand two hundred and four Pounds Eighteen Shillings and One Penny, for defraying the Charge of Allowances, Compensations, and Emoluments in the Nature of Superannuation or Retired Allowances, to Persons formerly belonging to the several Public Departments in the United Kingdom of *Great Britain* and *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-two thousand Pounds, for defraying the Charge of Exchequer Fees in *Great Britain* upon

60,612*l.* 8*s.* 1*d.* for Volunteer Corps;

126,000*l.* for General Officers, not being Colonels of Regiments;

36,669*l.* 7*s.* 8*d.* for Garrisons;

104,000*l.* for Full Pay for retired Officers;

720,859*l.* 12*s.* 10*d.* for Half Pay;

94,900*l.* for Half Pay, &c. to Officers of disbanded Foreign Corps;

47,686*l.* 1*s.* 1*d.* for In-Pensioners of *Chelsea* and *Kilmainham*;

1,241,601*l.* 17*s.* 8*d.* for Out-Pensioners of *Chelsea*;

145,267*l.* for Pensions to Widows of Officers;

185,036*l.* for Compassionate List and Pensions;

54,204*l.* 18*s.* 1*d.* for Superannuations in Public Departments;

32,000*l.* for Fees for Issues on Army Services

upon Issues to be made for Army Services in the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Two hundred and seventy thousand six hundred and ninety Pounds Fourteen Shillings and a Halfpenny, for defraying the Charge of the Disembodied Militia of *Great Britain* and *Ireland*, and of the Out-Pensions of the Regular Militia of *Great Britain*, and reduced Allowances and Out-Pensions for the Yeomanry, for the Year One thousand eight hundred and thirty.

270,690*l.* 14*s.* 0½*d.* for Disembodied Militia, and Out-Pensions of the Militia;

XII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million six hundred thirty-nine thousand four hundred and forty-four Pounds, for and towards the Ordnance Services herein-after more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding Two hundred eighty-three thousand six hundred and twenty-six Pounds, for defraying the Expence of the Royal Regiment of Artillery for *Great Britain* and *Ireland* and the Colonies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eighty-five thousand and twenty-five Pounds, for defraying the Salaries to the Master General, Lieutenant General, and the rest of the principal Officers and Clerks belonging to the Office of Ordnance at the *Tower* and *Pall Mall* and *Dublin*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eight thousand nine hundred and thirty-three Pounds, for defraying the Salaries to the Departments of the Office of Ordnance at *Woolwich*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventeen thousand four hundred and thirty-two Pounds, for defraying the Salaries of the several Civil Establishments of the Office of Ordnance at the Stations at Home, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twenty-eight thousand six hundred and forty-four Pounds, for defraying the Salaries of the several Civil Establishments of the Office of Ordnance Abroad and in *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Forty-one thousand three hundred and eighty-eight Pounds, for defraying the Salaries of Barrack Masters and Barrack Serjeants at the Stations at Home, Abroad, and in *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Five thousand three hundred and ninety Pounds, for defraying the Expence of Master Gunners at the Garrisons and Batteries in *Great Britain*, *Guernsey*, *Jersey*, and *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eighty-three thousand and forty-six Pounds, for defraying the Expence of the Corps of Royal Engineers, the Corps of Royal Sappers and Miners, and of the Establishment for the Instruction of Royal Sappers and Miners, for *Great Britain*, the Colonies, and *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-seven thousand one hundred and eleven Pounds, for defraying the Expence of the Brigade of Royal Horse Artillery, including the Rocket Troop, and also for the Riding House Troop, for *Great Britain* and *Ireland*, for the

1,639,444*l.* for the Ordnance Department;

283,626*l.* for the Royal Regiment of Artillery;

85,025*l.* for Ordnance at the *Tower*, *Pall Mall*, and *Dublin*;

8,933*l.* for the Departments at *Woolwich*;

17,432*l.* for Civil Establishments of the Ordnance at Home;

28,644*l.* for Ordnance Abroad and in *Ireland*;

41,388*l.* for the Barrack Department;

5,390*l.* for Master Gunners;

83,046*l.* for the Corps of Royal Engineers, Sappers, &c.;

37,111*l.* for Brigade of Royal Horse Artillery;

the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One thousand two hundred and twenty-three Pounds, for defraying the Expence of the Director General of the Field Train, and for the Field Train Department, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Nine thousand one hundred and twenty-seven Pounds, for defraying the Expence of the Medical Establishment for the Military Department of the Ordnance in *Great Britain*, the Colonies, and *Ireland*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Three thousand four hundred and two Pounds, for defraying the Expence of the Establishment of the Civil Officers, Professors, and Masters of the Royal Military Academy at *Woolwich*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Four thousand and thirty-four Pounds, for defraying the Expence of Services performed by the Office of Ordnance, and not provided for by Parliament, for the Year One thousand eight hundred and twenty-nine; and any Sum or Sums of Money not exceeding Three hundred thousand two hundred and forty-five Pounds, for the Charge of the Office of Ordnance in *Great Britain* and *Ireland*, on account of the Allowances to Superannuated, Retired, and Half Pay Officers, to superannuated and disabled Men and Pensioners, also for Pensions to Widows and Children of deceased Officers, late belonging to the several Ordnance Military Corps for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty-two thousand six hundred and fifty-five Pounds, for the Charge of Allowances, Compensations, and Emoluments in the Nature of Superannuated or Retired Allowances to Persons late belonging to the Office of Ordnance and to the Barrack Department in *Great Britain*, the Colonies, and *Ireland*, in respect of their having held any Public Offices or Employments of a Civil Nature, and also for the Charge of Widows Pensions, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventy-eight thousand four hundred and fifty-five Pounds, for defraying the Charge of the Military Store Branch for *Great Britain*, *Ireland*, and the Colonies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixty-six thousand one hundred and twenty-two Pounds, to defray the Expence of Command and Extra Pay to Engineers, and Pay and Allowances to Clerks of the Works and other Officers, at Home and Abroad, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred fifteen thousand four hundred and thirty-eight Pounds, to defray the Charge of Ordnance Works and Repairs, after deducting the Amount of old Stores and Rents to be received, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred ninety-four thousand three hundred and thirty-five Pounds, to defray the Charge of Repairs of Barracks and Barrack Expenditure, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Two hundred eleven thousand two hundred and thirteen Pounds, to defray the Charge of Civil and Military Contingencies of the Office of Ordnance, for the Year One thousand eight hundred and thirty; and

1,223*l.* for the Field Train Department;

9,127*l.* for the Medical Establishment of the Ordnance;

3,402*l.* for Military Academy at *Woolwich*;

4,034*l.* for the Extraordinaries of the Ordnance;

300,245*l.* for Ordnance Superannuations, Retired Allowances, Pensions, &c.

62,655*l.* for Allowances in Ordnance and Barrack Civil Department, &c.;

78,455*l.* for the Military Store Branch;

66,122*l.* for Extra Pay and Allowances to Engineers, Clerks, &c.

115,438*l.* for Ordnance Works;

194,335*l.* for the Barrack Department;

211,213*l.* for Civil Contingencies of the Ordnance;

2,600*l.* for Fees on Ordnance Estimates.

any Sum or Sums of Money not exceeding Two thousand six hundred Pounds, for defraying the Charge for Fees to be paid at the Treasury and the Exchequer on the Amount of the Ordnance Estimates, for the Year One thousand eight hundred and thirty.

25,438,800*l.* to pay off Exchequer Bills charged on the Aids of 1829 and 1830.

XIII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Twenty-five millions four hundred thirty-eight thousand eight hundred Pounds, to pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the Years One thousand eight hundred and twenty-nine and One thousand eight hundred and thirty, now remaining unpaid and unprovided for.

168,800*l.* to pay off Exchequer Bills for carrying on Public Works, &c.

XIV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred sixty-eight thousand eight hundred Pounds, to pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for.

3,040*l.* for Civil Establishment of the *Bahama* Islands;

XV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three thousand and forty Pounds, to defray the Charge of the Civil Establishment of the *Bahama* Islands, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Ten thousand four hundred and forty-five Pounds, to defray the Charge of the Civil Establishment of *Nova Scotia*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Three thousand six hundred Pounds, to defray the Charge of the Civil Establishment of *New Brunswick*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Four thousand Pounds, to defray the Charge of the Civil Establishment of the Island of *Bermuda*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Three thousand eight hundred and twenty Pounds, to defray the Charge of the Civil Establishment of *Prince Edward's Island*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Eleven thousand two hundred and sixty-one Pounds, to defray the Charge of the Civil Establishment of the Island of *Newfoundland*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of

10,445*l.* for *Nova Scotia*;

3,600*l.* for *New Brunswick*;

4,000*l.* for *Bermuda*;

3,820*l.* for *Prince Edward's Island*;

11,261*l.* for *Newfoundland*;

Money not exceeding Ten thousand one hundred and eighty Pounds Fifteen Shillings and Ten-pence, to defray the Charge of the Civil Establishment of *Sierra Leone*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Three thousand six hundred and one Pounds Fourteen Shillings, to defray the Charge of the Establishment at *Fernandez Po*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Four thousand Pounds, to defray the Expence of the Forts at *Cape Coast Castle* and *Accra*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever.

10,180*l.* 15*s.* 10*d.* for *Sierra Leone*;

3,601*l.* 14*s.* for *Fernandez Po*;

4,000*l.* for *Cape Coast Castle* and *Accra*.

XVI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Two millions five hundred thousand Pounds, to discharge the like Amount of Supplies granted for the Service of the Years One thousand eight hundred and twenty-three, One thousand eight hundred and twenty-four, One thousand eight hundred and twenty-five, One thousand eight hundred and twenty-six, One thousand eight hundred and twenty-seven, One thousand eight hundred and twenty-eight, and One thousand eight hundred and twenty-nine; and any Sum or Sums of Money not exceeding Seven thousand six hundred and fifty-six Pounds Nineteen Shillings and Sixpence, for defraying the Charge of the Royal Military College, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twenty thousand nine hundred and eighty-six Pounds Thirteen Shillings and Three-pence, for defraying the Charge of the Royal Military Asylum, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixteen thousand one hundred and forty-three Pounds, to defray the estimated Expenditure of the *British Museum* for the Year ending at *Christmas* One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding One hundred thousand Pounds, towards defraying the Charge of Civil Contingencies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-two thousand five hundred Pounds, to defray the Expence of Works and Repairs of public Buildings, and for Furniture and other Charges defrayed by the Office of Works, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Seven thousand Pounds, to defray the Expence of Works executing at *Port Patrick* Harbour, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Eight thousand Pounds, to defray the Expence of Works executing at *Donaghadee* Harbour, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any

2,500,000*l.* to discharge Supplies for 1823, 1824, 1825, 1826, 1827, 1828, and 1829;

7,656*l.* 19*s.* 6*d.* for Royal Military College;

20,986*l.* 13*s.* 3*d.* for Royal Military Asylum;

16,143*l.* for the *British Museum*;

100,000*l.* for Civil Contingencies;

32,500*l.* for public Buildings;

7,000*l.* for *Port Patrick* Harbour;

8,000*l.* for *Donaghadee* Harbour;

20,000*l.* for the Harbour at *Kingstown*;

6,000*l.* for erecting Churches in the *West Indies*;

8,000*l.* for *Milford Haven*;

12,000*l.* for erecting the State Paper Office;

4,700*l.* for *Holyhead* and *Howth* Roads and Harbour;

10,000*l.* for Buildings at the *British Museum*;

30,500*l.* for the Officers, and 17,000*l.* for the Expences of the Houses of Lords and Commons;

24,000*l.* for Deficiency of Fee Fund at the Treasury;

12,010*l.* at the Home Office;

17,000*l.* at the Foreign Office;

17,500*l.* at the Colonial Office;

16,858*l.* at the Privy Council;

8,000*l.* for Contingencies at the Treasury;

any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Twenty thousand Pounds, to defray the Expence of Works executing at the Royal Harbour of *George* the Fourth at *Kingstown*, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Six thousand Pounds, towards defraying the Expence of erecting Churches in the *West Indies*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Eight thousand Pounds, towards defraying the Expence of erecting and completing the Pier at *Hobb's Point*, *Milford Haven*, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Twelve thousand Pounds, towards defraying the Expence of erecting the State Paper Office, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Four thousand seven hundred Pounds, to defray the Expences of the Commissioners of the *Holyhead* and *Howth* Roads and Harbours, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Ten thousand Pounds, to defray the Expence of the new Buildings at the *British Museum*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Thirty thousand five hundred Pounds, to defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventeen thousand Pounds, to defray the Expences of the Houses of Lords and Commons, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twenty-four thousand Pounds, to make good the Deficiency of the Fee Fund in the Department of His Majesty's Treasury, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twelve thousand and ten Pounds, to make good the Deficiency of the Fee Fund in the Department of His Majesty's Home Secretary of State, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventeen thousand Pounds, to make good the Deficiency of the Fee Fund in the Department of His Majesty's Foreign Secretary of State, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seventeen thousand five hundred Pounds, to make good the Deficiency of the Fee Fund in the Department of His Majesty's Secretary of State for the Colonies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Sixteen thousand eight hundred and fifty-eight Pounds, to make good the Deficiency of the Fee Fund in the Departments of His Majesty's most Honourable Privy Council and Committee of Privy Council for Trade, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Eight thousand Pounds, to defray the contingent Expences and Messengers Bills in the Department of His Majesty's Treasury, for the Year One thousand eight

eight hundred and thirty; and any Sum or Sums of Money not exceeding Eight thousand and forty-five Pounds, to defray the contingent Expences and Messengers Bills in the Department of His Majesty's Home Secretary of State, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirty-four thousand seven hundred and fifty Pounds, to defray the contingent Expences and Messengers Bills in the Department of His Majesty's Foreign Secretary of State, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Ten thousand five hundred Pounds, to defray the contingent Expences and Messengers Bills in the Department of His Majesty's Secretary of State for the Colonies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Three thousand seven hundred and twenty-five Pounds, to defray the contingent Expences and Messengers Bills in the Departments of His Majesty's most Honourable Privy Council and Committee of Privy Council for Trade, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Six thousand five hundred Pounds, to make Compensation to the Commissioners appointed by several Acts for inquiring into the Collection and Management of the Revenue in *Ireland*, and into certain Revenue Departments in *Great Britain*, for their Assiduity, Care, and Pains in the Execution of the Trusts reposed in them by Parliament, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Five thousand Pounds, to defray the Salaries to certain Officers and the Expences of the Court and Receipt of Exchequer, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Nine hundred and fifty-eight Pounds Five Shillings, to pay the Salaries or Allowances granted to certain Professors in the Universities of *Oxford* and *Cambridge*, for reading Courses of Lectures, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Thirteen thousand seven hundred and seventy-eight Pounds Two Shillings, to pay the Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the contingent Expences of their Office, for the Year One thousand eight hundred and thirty, and also the Expences attendant upon their Circuits; and any Sum or Sums of Money not exceeding Four thousand and thirty-four Pounds, to pay, in the Year One thousand eight hundred and thirty, the Salaries of the Officers and the contingent Expences of the Office for the Superintendence of Aliens, and also the Superannuation or Retired Allowances to Officers formerly employed in that Service; and any Sum or Sums of Money not exceeding Six thousand eight hundred and eighty-two Pounds Twelve Shillings and Seven-pence, to defray the Charge of Retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Thirteen thousand six hundred and forty-seven Pounds Ten Shillings, to grant Relief, in the Year One thousand eight hundred and thirty, to *Toulonese* and *Corsican* Emigrants, *Dutch* Naval Officers,

8,045*l.* for Contingencies in the Home Department;

34,750*l.* in the Foreign Department;

10,500*l.* in the Colonial Department;

3,725*l.* in the Privy Council, &c.

6,500*l.* to Commissioners of Revenue Inquiry;

5,000*l.* for Officers, &c. of Exchequer;

958*l.* 5*s.* for certain Professors at *Oxford* and *Cambridge*;

13,778*l.* 2*s.* for Insolvent Debtors Court;

4,034*l.* for Superintendence of Aliens, &c.;

6,882*l.* 12*s.* 7*d.* for Retired Allowances to Persons formerly employed in Public Offices;

13,647*l.* 10*s.* for Relief to *Toulonese* and *Corsican* Emigrants, *Dutch* Naval Officers, and *St. Domingo* Sufferers, &c.;

Saint Domingo Sufferers, and others who have heretofore received Allowances from His Majesty, and who from Services performed or Losses sustained in the *British* Service have special Claims upon His Majesty's Justice and Liberality, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

2,500*l.* for the Vaccine Establishment;

and any Sum or Sums of Money not exceeding Two thousand five hundred Pounds, to defray the Expence of the National Vaccine Establishment, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

21,135*l.* for the Penitentiary House at *Millbank*;

and any Sum or Sums of Money not exceeding Twenty-one thousand one hundred and thirty-five Pounds, to defray the Expence of the Establishment of the Penitentiary House at *Millbank*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

3,000*l.* for the Refuge for the Destitute;

and any Sum or Sums of Money not exceeding Three thousand Pounds, for the Support of the Institution called The Refuge for the Destitute, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

4,000*l.* for *American* Loyalists;

and any Sum or Sums of Money not exceeding Four thousand Pounds, for the Relief of *American* Loyalists, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

3,039*l.* for maintaining Criminal Lunatics;

and any Sum or Sums of Money not exceeding Three thousand and thirty-nine Pounds, to defray the Expence of confining and maintaining Criminal Lunatics, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

5,712*l.* 7*s.* 10*d.* for Dissenting Ministers, poor *French* Refugee Clergy, &c.;

and any Sum or Sums of Money not exceeding Five thousand seven hundred and twelve Pounds Seven Shillings and Ten-pence, to pay the usual Allowances to Protestant Dissenting Ministers in *England*, poor *French* Protestant Refugee Clergy, poor *French* Protestant Refugee Laity, and sundry small charitable and other Allowances to the poor of *Saint Martin in the Fields*, and others, for the Year One thousand eight hundred and thirty;

45,000*l.* for Secret Services;

and any Sum or Sums of Money not exceeding Forty-five thousand Pounds, for His Majesty's Foreign and other Secret Services, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

76,000*l.* for printing Acts and Papers for Houses of Parliament;

and any Sum or Sums of Money not exceeding Seventy-six thousand Pounds, to defray the Expence of printing Acts, and Bills, Reports, and other Papers for the Two Houses of Parliament, for the Year One thousand eight hundred and thirty;

8,000*l.* for printing Public Records;

and any Sum or Sums of Money not exceeding Eight thousand Pounds, to defray the Expence of Printing under the Direction of the Commissioners on Public Records, for the Year One thousand eight hundred and thirty;

96,850*l.* for Stationery, &c. for Public Departments;

and any Sum or Sums of Money not exceeding Ninety-six thousand eight hundred and fifty Pounds, to defray the Expence of providing Stationery, Printing, and Binding for the several Public Departments of Government, for the Year One thousand eight hundred and thirty, including the Expence of the Establishment of the Stationery Office, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever;

19,000*l.* for the Mint;

and any Sum or Sums of Money not exceeding Nineteen thousand Pounds, to defray the extraordinary

Expences of the Mint in the Gold Coinage, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Seven thousand Pounds, to defray the extraordinary Expences that may be incurred for Prosecutions, *et cetera*, relating to the Coin of this Kingdom, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Fifteen thousand Pounds, to defray the Expence of Law Charges for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred and seven thousand nine hundred and eighty-six Pounds, to defray the Expence attending the confining, maintaining, and employing Convicts at Home and at *Bermuda*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Thirty-five thousand Pounds, to defray the Expences incurred for the Support of captured Negroes, *et cetera*, for the Year One thousand eight hundred and thirty, under the several Acts for the Abolition of the Slave Trade; and any Sum or Sums of Money not exceeding Eighteen thousand seven hundred Pounds, to pay, in the Year One thousand eight hundred and thirty, the Salaries and incidental Expences of the Commissioners appointed on the Part of His Majesty under the Treaties with *Spain*, *Portugal*, and the *Netherlands*, for preventing the illegal Traffic in Slaves, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Twenty-eight thousand Pounds, to defray the Expences of Missions and Special Commissions to the new States of *America*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Eighty-seven thousand nine hundred and seventy Pounds, to pay the Salaries of Consuls General and Consuls, their contingent Expences, and Superannuation Allowances to retired Consuls, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding One hundred and twenty thousand Pounds, to defray, in the Year One thousand eight hundred and thirty, the Amount of Bills drawn from *New South Wales* and *Van Diemen's Land* on account of the Expenditure incurred for Convicts in those Settlements; and any Sum or Sums of Money not exceeding Nine thousand Pounds, to pay, in the Year One thousand eight hundred and thirty, the Fees due and payable to the Officers of the Parliament on all Bills for continuing or amending any Acts for making and maintaining, keeping in repair, or improving Turnpike Roads, which shall pass the Two Houses of Parliament and receive the Royal Assent, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Sixteen thousand six hundred Pounds, to defray, in the Year One thousand eight hundred and thirty, the Salaries and Expences of the Commissioners appointed to inquire into the Practice and Proceedings of the Superior Courts of Common Law and into the Law of *England* respecting Real Property, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and

7,000*l.* for Prosecutions relating to the Coin;

15,000*l.* for Law Charges;

107,986*l.* for maintaining Convicts;

35,000*l.* for Support of captured Negroes;

18,700*l.* for Commissioners under the Treaties with *Spain*, &c.

28,000*l.* for Missions to the new States of *America*;

87,970*l.* for Salaries and Expences of Consuls;

120,000*l.* to defray Bills drawn from *New South Wales*;

9,000*l.* for Parliamentary Fees on Turnpike Road Bills;

16,600*l.* for Commissioners of Common Law Inquiry;

and

16,182*l.* to the Society for propagating the Gospel in the Colonies;

and any Sum or Sums of Money not exceeding Sixteen thousand one hundred and eighty-two Pounds, to defray the Expences of the Society for the Propagation of the Gospel in certain of His Majesty's Colonies, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Forty-seven thousand five hundred Pounds, to defray the Charge, in the Year One thousand eight hundred and thirty, of providing Stores for the Engineer Department in *New South Wales* and *Van Diemen's Land*, Bedding and Clothing for the Convicts, Clothing and Tools for the liberated *Africans* at *Sierra Leone*, and *Indian* Presents for *Canada*, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever.

47,500*l.* for Engineers Stores for *New South Wales*, Clothing for Convicts, &c.

200,000*l.* for Annuities, &c. that would have been payable out of the Consolidated Fund or Civil List.

XVII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Two hundred thousand Pounds, towards satisfying such Annuities, Pensions, or other Payments as would have been payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the Civil List, in case the Demise of His late Majesty had not taken place before the Tenth Day of *October* One thousand eight hundred and thirty.

1,126,554*l.* 18*s.* 0½*d.* for Army Extraordinaries, Commissariat, Miscellaneous Services of *Ireland*, &c. for Nine Months.

XVIII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding One million one hundred twenty-six thousand five hundred and fifty-four Pounds Eighteen Shillings and One Halfpenny, for or towards defraying the Charges of Army Extraordinaries, Commissariat, *Rideau* Canal, Civil Contingencies, Repairs and Improvements at *Windsor Castle*, and of miscellaneous Services in *Ireland*, being the Sum required for the above-mentioned Services for Nine Months of the Year One thousand eight hundred and thirty.

Application of the said Sum of 1,126,554*l.* 18*s.* 0½*d.*

XIX. Provided always, and be it further enacted, That the said Sum of One million one hundred twenty-six thousand five hundred and fifty-four Pounds Eighteen Shillings and One Halfpenny shall not be issued and applied to any other Use, Intent, or Purpose, or to any greater Amount, than to the Use, Intent, or Purpose, and to the Amount following; that is to say, for Repairs and Improvements of *Windsor Castle*, Seventy-five thousand Pounds; for Army Extraordinaries, Four hundred and twelve thousand five hundred Pounds; for the Commissariat Department, Two hundred eighty-one thousand six hundred and nineteen Pounds Nine Shillings and Three-pence Halfpenny; for Civil Contingencies, Twenty thousand Pounds; for the *Rideau* Canal, One hundred twenty-two thousand two hundred and fifty Pounds; for the Protestant Charter Schools of *Ireland*, Six thousand seven hundred and twelve Pounds and Ten Shillings; for the Association for discountenancing Vice in *Ireland*, Three thousand seven hundred and fifty Pounds; for the Society for promoting the Education of the Poor of *Ireland*, Eighteen thousand seven hundred and fifty Pounds; for the Foundling Hospital of *Dublin*, Twenty-three

three thousand one hundred and seventy-five Pounds; for the House of Industry in *Dublin*, Fifteen thousand nine hundred and seventy-one Pounds and Five Shillings; for the *Richmond* Lunatic Asylum, Five thousand and twenty-five Pounds; for the *Hibernian* Society for Soldiers Children, Five thousand six hundred and ninety-seven Pounds; for the *Hibernian* Marine Society, One thousand and fifty Pounds; for the Female Orphan House in *Dublin*, One thousand and thirty-one Pounds and Five Shillings; for the *Westmorland* Lock Hospital in *Dublin*, Two thousand two hundred and ninety-five Pounds; for the Lying-in Hospital in *Dublin*, One thousand nine hundred and forty-three Pounds and Five Shillings; for Doctor *Steevens*'s Hospital in *Dublin*, One thousand two hundred and fifty-seven Pounds; for the Fever Hospital in *Cork Street*, *Dublin*, Two thousand eight hundred and ninety-five Pounds; for the Hospital for Incurables in *Dublin*, Three hundred and forty-eight Pounds and Fifteen Shillings; for the Roman Catholic Seminary at *Maynooth*, Six thousand six hundred and ninety-six Pounds; for the Royal *Cork* Institution, Four hundred and fifty Pounds; for the Royal *Dublin* Society, Five thousand two hundred and fifty Pounds; for the Royal *Irish* Academy, Two hundred and twenty-five Pounds; for the Commissioners of Charitable Donations and Bequests in *Ireland*, Five hundred and twenty-five Pounds; for the *Belfast* Academical Institution, One thousand one hundred and twenty-five Pounds; for the Board of Works in *Ireland*, Ten thousand three hundred and thirty-five Pounds; for Printing, Stationery, *et cetera*, in the Chief Secretary's Office in *Ireland*, Ten thousand eight hundred and seventy-five Pounds; for printing Proclamations and printing Statutes in *Ireland*, Three thousand four hundred and fifty Pounds; for Criminal Prosecutions in *Ireland*, Thirty-seven thousand and five hundred Pounds; for Non-conforming and other Dissenting Ministers in *Ireland*, Eleven thousand one hundred and forty-five Pounds Four Shillings and Sixpence; for Salaries to Lottery Officers in *Ireland*, Five hundred and fifty-five Pounds Four Shillings and Seven-pence Halfpenny; for Inland Navigations in *Ireland*, Three thousand nine hundred and seventy-five Pounds; for the Police of *Dublin*, Seventeen thousand two hundred and fifty Pounds; for the Commissioners of Judicial Inquiry in *Ireland*, Five thousand four hundred and ninety-six Pounds Four Shillings and Seven-pence Halfpenny; for the Board of Public Records in *Ireland*, Two thousand one hundred and eighty-one Pounds Fifteen Shillings; for the Public Works in *Ireland*, Eight thousand two hundred and fifty Pounds.

Supplies to be applied only for the Purposes aforesaid.

XX. And it is hereby also enacted, That the said Aids and Supplies provided as aforesaid shall not be issued and applied to any Use, Intent, or Purpose whatever, other than the Uses, Intents, and Purposes before mentioned, or for the other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this Session of Parliament.

Rules to be observed in the Application of

XXI. And as to the Sum of Seven hundred twenty thousand eight hundred and fifty-nine Pounds Twelve Shillings and Ten-pence

the Sum appropriated to Half Pay.

by this Act appropriated on account of Half Pay as aforesaid, it is hereby enacted and declared, That the Rules hereafter prescribed shall be duly observed in the Application of the said Half Pay; (that is to say,) that no Person shall have or receive any Part of the same without taking an Oath to such Purport and Effect as shall be required in that Behalf by His Majesty's Warrants directing the Issue of the Half Pay to be received; that no Person shall have or receive any Part of the same who was under the Age of Sixteen Years at the Time when the Regiment, Troop, or Company in which he served was reduced; that no Person shall have or receive any Part of the same who did not do actual Service in some Regiment, Battalion, Troop, or Company in His Majesty's Service, except in Cases in which the Commission was received under Circumstances which did not, according to the Regulations of the Army, require the Officer to serve; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Person as would have been otherwise entitled thereto as a Reduced Officer; that no Person shall have or receive any Part of the same for any Time during which he shall hold any other Military Place of Employment or Profit under His Majesty, or in His Majesty's Colonies or Possessions beyond the Seas, except on the Staff or in Garrison; and that in such excepted Cases, or in Cases of his holding any Military Place or Employment of Profit under another Government, no Officer shall receive any Part of his Half Pay, unless with His Majesty's Approbation, to be signified by the Secretary at War to the Paymaster General of His Majesty's Land Forces; and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Oath or Affidavit the other Military Place or Employment of Profit on the Staff or in Garrison which he may hold or have held under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government; that no Person who shall, on or before the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, have held any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, except in Cases in which the same shall not exceed Three Times the Amount of the highest Rate of Half Pay attached to the Rank in virtue of which he claims to receive Half Pay, or as herein-after mentioned, nor in any such excepted Cases, unless His Majesty's special Approbation be signified as aforesaid; and the Officer claiming the Half Pay in pursuance of such Approbation shall signify in his Oath or Affidavit the Civil Place or Employment of Profit which he may hold or have held as aforesaid; but if the net Annual Emoluments of such Civil Place or Employment shall exceed Three Times the Amount of Half Pay as aforesaid, and shall fall short of Four Times that Amount, then it shall be lawful for the Paymaster General of the Land Forces, with His Majesty's Approbation, signified by the Secretary at War as

aforesaid, to issue, on or after the Twenty-fourth Day of *December* One thousand eight hundred and thirty, so much of the Half Pay claimed by any such Officer as shall, together with the net Annual Emoluments of the Civil Place or Employment, be equal to Four Times the Amount of such Half Pay; and the Officer claiming the Half Pay in pursuance of such Approbation shall specify in his Oath or Affidavit the Civil Place or Employment of Profit which he may have held as aforesaid, and the actual Amount of the Emoluments thereof, in such Manner and Form, and calculated up to such Period or Periods, as shall be required by the Secretary at War; that no Person who after the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight has been appointed to any Civil Place or Employment of Profit under His Majesty, or in the Colonies or Possessions of His Majesty beyond the Seas, or under any other Government, shall have or receive any Part of the same for any Time during which he shall hold any such Civil Place or Employment of Profit under His Majesty beyond the Seas, or under any other Government, other than that of a Barrack Master under the Master General and Board of Ordnance, who shall, under the Restrictions before mentioned, be entitled to receive his Half Pay: Provided always, that nothing in this Act contained shall prevent any Person from receiving his Half Pay who shall be entitled to the same under any other Act or Acts relating to the General or Local Militia, or the Yeomanry or Volunteers, but that every such Person shall receive the same according to the Provisions of any such Act or Acts; and also every Surgeon, Serjeant Major, Serjeant, Corporal, and Private, serving in the General or Local Militia, or in any Corps of Yeomanry or Volunteers in *Great Britain* or *Ireland*, may and shall receive any Half Pay, together with any Pay in the General or Local Militia, or Yeomanry or Volunteers, upon the taking such Oath (if any) as shall be required in or by any Act or Acts, or specified in any Warrant of His Majesty, as the Case may be, and stating in such Oath the Commission or Employment which he held in the General or Local Militia, the Yeomanry or Volunteers.

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

XXII. Provided always, and be it further enacted, That it shall be lawful for the Commissioners of the Treasury, or any Three or more of them, for the Time being, to authorize the receiving Half Pay by Military Officers with Civil Employments in any Cases in which the said Commissioners shall be of opinion that the Employment of such Military Officers in the Colonies or elsewhere, in Civil Situations of Responsibility, with small Emolument, will be conducive to Economy, and thereby beneficial to the Public Service; and in every such Case the Officer so authorized to receive Half Pay with the Salary or Emoluments of any Civil Employment shall signify the same in his Oath or Affidavit, specifying the Office, and the Authority under which he is so allowed to receive his Half Pay.

Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXIII. And whereas a considerable Part of the Money appropriated on account of Half Pay by an Act passed in the last Session of Parliament, intituled *An Act for raising the Sum of Thirteen millions four hundred thirty-eight thousand eight hundred Pounds for the Service of the Year One thousand eight hundred and twenty-nine, and* 10 G. 4. c. 60.

to

to appropriate the Supplies granted in this Session of Parliament, has been issued without requiring, by Persons issuing or paying, and without the taking by the Persons receiving Half Pay, the Oaths prescribed to be taken by Officers claiming Half Pay; and Part of the said Monies has been paid to Officers claiming and entitled to Half Pay, who at the same Time held and may still hold the Situation of and serve respectively as Surgeons, Serjeant Majors, Serjeants, Corporals, or Privates in the General or Local Militia, or Yeomanry or Volunteer Corps, in *Great Britain* or *Ireland;* and it is expedient that all such Persons should be indemnified: Be it therefore enacted,

Persons concerned in issuing, paying, and receiving Money for the Payment of Half Pay, without the Oaths having been taken as required, indemnified.

That all Persons concerned in the advising, authorizing, or directing the issuing, or in the issuing of any Half Pay, or any Monies for Half Pay, or in the Application of any Money appropriated by the said Act for that Purpose, or in the receiving or being concerned in the receiving any Portion of the Money so appropriated for such Half Pay, without requiring or taking the said Oaths, or to or on account of any such Officers or Persons as aforesaid, shall be and are hereby fully indemnified, and shall be and are hereby fully exonerated and discharged from all Penalties, Forfeitures, or Prosecutions or Proceedings, in respect of any thing done in relation thereto, in all Cases in which such Half Pay, or Payment for or in respect of Half Pay, shall have been or may hereafter be issued or received in conformity with the Provisions of the said recited Act or this Act, and the Usages heretofore established and observed in relation to the issuing, paying, and receiving of Half Pay in all other respects, except so far as relates to the demanding, requiring, or taking the said Oaths; and all such Payments and Issues of Half Pay which shall have been or may be issued to any such Person as aforesaid shall be deemed valid and effectual Payments, and the Paymaster General, and all other Persons concerned in the issuing and paying the same, shall be and are hereby fully discharged and exonerated in respect thereof in all Accounts relating to such Issues and Payments; any thing contained in any Act or Acts, or any Law, or Rules or Regulations, relating to the issuing and paying of Half Pay, to the contrary notwithstanding.

Half Pay allowed to the Officers of the *Manx* Fencibles.

XXIV. And whereas the Officers of the Royal Regiment of *Manx* Fencibles engaged to serve in the said Corps upon a Stipulation contained in the Letter of Service under which they were raised, that they should be allowed to receive any Half Pay to which they might be entitled, notwithstanding their holding Subaltern Commissions in the said Corps; but no Provision has been made by Parliament for Payment of such Half Pay; and it is therefore expedient that Provision should be now made for Payment of the Arrears of Half Pay to such Officers as aforesaid: Be it therefore enacted, That Officers who were entitled to Half Pay, and who accepted or held Subaltern Commissions in the Royal Regiment of *Manx* Fencibles, shall, notwithstanding their having held the Full Pay of such Commissions, be entitled to receive the Arrears of such Half Pay for any Year or Time in which they shall not have been before allowed to receive the same, upon taking the Oath before the Officer usually administering Oaths to Persons for the Purpose of receiving Half Pay, that they had not, in any Year or Time for which such Arrear is claimed, any

Office

Office or Employment of Profit, Civil or Military, under His Majesty, besides their Allowance of Half Pay, save and except their Pay as such Subaltern Officers of the Royal Regiment of *Manx* Fencibles; and the taking the Oath shall, without taking any other Oath, be sufficient to entitle such Officer to receive his Half Pay.

Half Pay Allowances to Chaplains of Regiments not being in Possession of Ecclesiastical Benefices derived from the Crown.

XXV. And whereas Chaplains of Regiments who have been placed upon Half Pay have not been allowed to receive such Half Pay in some Years, in consequence of being in Possession at the Time of certain Ecclesiastical Benefices or Preferments, though the same were not in the Patronage of the Crown: And whereas it has been judged fair and reasonable that they should be allowed to receive such Half Pay, though in Possession of Ecclesiastical Preferment, provided the same was private Patronage, and not derived from the Crown; and that they should also be entitled to receive the Arrears of Half Pay for such former Years as aforesaid: Be it therefore enacted, That all Chaplains who, after having been placed upon Half Pay, shall have been refused or have been unable to receive such Half Pay in any Year, in consequence of holding any Ecclesiastical Benefice not derived from or in the Gift of the Crown, shall be entitled to receive the Arrears of such Half Pay for such Year, upon making Affidavit before the proper Officer for administering Oaths to Persons for entitling them to receive Half Pay, that they held no Ecclesiastical Benefice or Preferment in any such Year derived from the Crown, nor any Place or Employment of Profit under His Majesty; and the taking the said Oath shall, without taking any other Oath, be sufficient to entitle such Chaplain to receive his Half Pay.

By 10 G. 4. c. 60. a Sum was appropriated to be paid to Half Pay Officers, the Surplus of which is hereby authorized to be disposed of as His Majesty shall direct.

XXVI. And whereas by the said recited Act passed in the last Session of Parliament the several Supplies which had been granted to His Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed, amongst which any Sum or Sums of Money not exceeding Seven hundred thirty-nine thousand and thirty-eight Pounds Seventeen Shillings and Ten-pence was appropriated to be paid on account of Half Pay for the Year One thousand eight hundred and twenty-nine, subject nevertheless to such Rules to be observed in the Application of the said Half Pay as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, That so much of the said Sum of Seven hundred thirty-nine thousand and thirty-eight Pounds Seventeen Shillings and Ten-pence as is or shall be more than sufficient to satisfy the said Reduced Officers, according to the Rules to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late War, or such others as, by reason of their long Service, or otherwise, His Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants, under His Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act or in the said Act to the contrary notwithstanding.

Widows and Persons claiming Pensions or

XXVII. And as to the Sum of One hundred forty-five thousand two hundred and sixty-seven Pounds, by this Act appropriated for

Allowances shall take the required Oath.

defraying the Charge of Pensions to be paid to the Widows of Officers of His Majesty's Land Forces as aforesaid; and as to the Sum of One hundred eighty-five thousand and thirty-six Pounds, by this Act appropriated for defraying the Charge of Allowances on the Compassionate List, of Allowances as of His Majesty's Royal Bounty, and of Pensions to Officers for Wounds, as aforesaid; it is hereby enacted and declared, That no Widow of an Officer of the Land Forces, and no Person claiming an Allowance on the Compassionate List, or of Allowances as of His Majesty's Royal Bounty, shall have or receive any Part of the same without taking an Oath to such Purport and Effect as shall be required in that Behalf by His Majesty's Warrant directing the Issue of such Pensions and Allowances to be received, such Oath to be taken before any Justice or Justices of the Peace, or other Person duly authorized to administer an Oath, or before the Cashier of Widows Pensions, or the First Assistant Examiner of the same, for the Time being, in the Office of the Paymaster General of His Majesty's Land Forces, who are hereby authorized to administer the same.

By whom the Oath to be administered.

Accounts for Army Services to be made up at Periods terminating on the last Day in the Month.

XXVIII. And whereas it is expedient that the Disbursements and Accounts for Army Services should be regulated according to the Calendar Year commencing on the First Day of *January* and terminating on the Thirty-first Day of *December:* And whereas in several Acts regulating the Office of Paymaster General to His Majesty's Land Forces, the Office of Vice-Treasurer for *Ireland*, and Matters relating to *Chelsea* Hospital, it is enacted, that the Issues of Money for Army Services shall be made, and certain Accounts made up or rendered, at monthly, quarterly, half-yearly, and annual Periods, terminating on the Twenty-fourth Day of the Month, the Twenty-fourth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-fourth Day of *September*, and the Twenty-fourth Day of *December:* Be it therefore enacted, That from and after the First Day of *January* One thousand eight hundred and thirty-one all Monies for Army Services voted on Estimates submitted to Parliament by the Secretary at War, heretofore required to be issued or paid, and all Accounts thereof heretofore required to be made up or rendered, either by, from, or to the Secretary at War, the Paymaster General of His Majesty's Land Forces, the Vice-Treasurer of *Ireland*, the Treasurer of *Chelsea* Hospital, or their respective Deputy or Deputies, at Periods terminating on the Twenty-fourth Day of the Month, on the Twenty-fourth Day of *March*, on the Twenty-fourth Day of *June*, on the Twenty-fourth Day of *September*, and on the Twenty-fourth Day of *December*, shall be issued or paid, made up or rendered, at Periods terminating on the last Day in the Month, the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* respectively.

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ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. LXIV.

An Act to permit the general Sale of Beer and Cyder by Retail in *England*. [23d *July* 1830.]

WHEREAS it is expedient, for the better supplying the Public with Beer in *England*, to give greater Facilities for the Sale thereof than are at present afforded by Licences to Keepers of Inns, Alehouses, and Victualling Houses; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and thirty, it shall and may be lawful for any and every Person, who shall obtain a Licence for that Purpose under the Provisions of this Act, to sell Beer, Ale, and Porter by Retail in any Part of *England*, in any House or Premises specified in such Licence; any thing in any Act or Acts heretofore made, or in force at the Time of the passing of this Act, to the contrary in anywise notwithstanding.

All Persons licensed under this Act may sell Beer by Retail.

II. And be it further enacted, That it shall be lawful for every and any Person, being a Householder, (other than and except such Persons as are herein-after specially excepted,) who shall be desirous of selling Beer, Ale, and Porter by Retail under the Provisions of this Act, to apply for and to obtain an Excise Licence for that Purpose; and in every Application for such Licence there shall be specified, set forth, and inserted the Christian Name and Surname of the

Parties desirous of retailing Beer shall take out a Licence.

the Party applying for such Licence, and a Description of the House or Premises in which Beer, Ale, and Porter is intended to be sold by Retail by such Person, together with the Christian Names and Surnames and the Occupation and Residence of the Person or Persons who shall be proposed as Surety or Sureties for the Party so to be licensed; and any and every such Licence which shall be taken out within the Limits of the Chief Office of Excise in *London* shall be granted under the Hands and Seals of Two or more of the Commissioners of Excise for the Time being, or of such Persons as they the said Commissioners of Excise, or the major Part of them, for the Time being, shall from Time to Time authorize, employ, or direct for that Purpose; and any and every such Licence which shall be taken out in any Part of *England* not within the said Limits shall be granted under the respective Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts; and it shall be lawful for the said Commissioners of Excise, or any Two or more of them respectively, and for the Person to be authorized, employed, or directed by the said Commissioners or the major Part of them, and also for all such Collectors and Supervisors, and they are hereby respectively authorized and required, within Ten Days after the Application shall have been made for the same, and upon Execution by the Party and his Surety or Sureties of the Bond herein-after mentioned, and any Time after upon the Execution of such Bond, to grant such Licence to the Persons who shall apply for the same, the Person so applying first paying for such Licence a Duty of Two Pounds and Two Shillings, to be applied and accounted for as herein-after directed; and every such Licence shall be dated on the Day when the same shall be granted, and shall expire at the End of Twelve Calendar Months after the Day on which such Licence shall be dated; and every such Licence shall be according to the Form in the Schedule annexed to this Act, and shall be duly registered in the proper Department of the Excise: Provided always, that no such Licence shall authorize or entitle the Party licensed to receive any Licence to sell or retail Wine or Spirits, any thing in any Act or Acts of Parliament to the contrary thereof notwithstanding; and that no such Licence shall be granted to any Person being a Sheriff's Officer, or Officer executing the legal Process of any Court of Justice, nor to any Person not being a Householder assessed to the Poor Rates in the Parish or Place in which he shall be licensed to sell Beer by Retail, and that any Licence granted to any such Person shall be void to all Intents and Purposes; and a List or Register of every Licence so granted, specifying the Name and Place of Abode of every Person licensed, and of his Sureties respectively, and the Name and Description of the House mentioned in such Licence, shall be kept at the Excise Office with respect to all Licences granted by the Commissioners of Excise or any Person authorized by them, and at the Office or Dwelling House of every Collector and Supervisor of Excise in their and his respective Collections and Districts; and such List or Register shall at all Times be produced to and shall be open to the Inspection and Perusal of any Magistrate of the County or Place where such Licence shall be granted and where such House shall be situate; and a Copy of such List or Register

In London, Licences shall be granted by the Commissioners of Excise, &c.; elsewhere in England, by the Collectors and Supervisors of Excise.

Licence Duty.

No Licence shall be granted to a Sheriff's Officer or Non-householder.

Register of Licences.

Licences shall be produced for the Inspection of Magistrates.

shall once in every Calendar Month be transmitted by every such Collector or Supervisor to the Clerk of the Magistrates for the District in which such Licence shall be granted; and any Copy of or Extract from such List or Register, which shall or may be at any Time required by the Clerk to the Magistrates, shall be given to him by such Collector or Supervisor whenever thereto required.

Licence Duty shall be under the Management of the Commissioners of Excise, and carried to the Consolidated Fund.

III. And be it further enacted, That the Duty by this Act imposed on Licences to sell Beer by Retail shall be under the Management of the Commissioners of Excise for the Time being, and shall and may be respectively raised, levied, collected, answered, paid, and recovered in such and the like Manner, and in or by any or either of the general or special Means, Ways, or Methods by which any other Duties of Excise on Licences are or may be raised, levied, collected, answered, paid, or recovered; and all the Monies arising by the Duties by this Act imposed and made payable as aforesaid, the necessary Charges of raising and accounting for the same excepted, shall from Time to Time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and the said Money so paid into the Receipt of the Exchequer as aforesaid shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Party requiring Licence shall enter into a Bond, with Sureties, for Payment of Penalties.

IV. Provided always, and be it enacted, That it shall not be lawful for the Commissioners of Excise or any Person authorized by them, nor for any Collector or Supervisor of Excise, to grant or deliver any such Licence to any Person applying for the same, unless such Person shall, before receiving such Licence, or at the Time of receiving the same, enter into a Bond to the Commissioners of Excise with One sufficient Surety in the Penalty of Twenty Pounds or with Two sufficient Sureties in the Penalty of Ten Pounds each, such Surety or Sureties being the Person or Persons named in the Application of the Party requiring the Licence, or some other Person or Persons approved of by the said Commissioners or by the Person authorized to grant such Licences; and such Bond shall be executed by such Person and his Surety or Sureties, conditioned for the Payment by such Person, or his Surety or Sureties, of any Penalty or Sum of Money not exceeding the Amount of such Twenty Pounds or Ten Pounds respectively, which shall be incurred for any Offence against this Act by the Party to whom such Licence shall be granted, or for the Payment of such Sum of Twenty Pounds or Ten Pounds respectively, in case any Penalty incurred by such Party licensed shall exceed such Twenty Pounds or Ten Pounds respectively; and it shall be lawful for the said Commissioners, or the Person so authorized by them, or for such Collector or Supervisor of Excise respectively, to judge of and determine upon the Sufficiency of any such Surety or Sureties: Provided always, that such Bond shall not be subject or liable to the Payment of any Stamp Duty whatever; any thing in any Act or Acts to the contrary notwithstanding.

No Person licensed to sell Beer shall

V. Provided always, and be it further enacted, That no Person licensed to sell Beer by Retail under the Provisions of this Act, and that

be competent to be a Surety.

that no Person not being a Householder assessed to and paying the Poors Rates within the Parish in which the Person licensed shall be resident, shall be deemed competent to be or shall be accepted as a Surety in any such Bond as aforesaid.

Persons licensed to retail Beer shall put up descriptive Boards.

VI. And be it further enacted, That every Person who shall be licensed to sell Beer, Ale, and Porter by Retail under the Provisions of this Act shall cause to be painted, in Letters Three Inches at least in Length, in White upon a Black Ground, or in Black upon a White Ground, publicly visible and legible, upon a Board to be placed over the Door of the House or Premises in which such Person shall be licensed to sell Beer by Retail, the Christian and Surname of the Persons mentioned in such Licence, at full Length, together with the Words "Licensed to sell Beer by Retail;" and every such Person shall preserve and keep up such Name and Words so painted as aforesaid during all the Time that such Person shall continue so licensed, upon pain that every Person in any respect making default herein shall forfeit and pay for every such Offence the Sum of Ten Pounds.

No Person shall sell Beer after Expiration of his Licence.

Licence may be renewed yearly.

Penalty on selling without Licence, 20*l.*

VII. And be it further enacted, That no Person shall sell any Beer by Retail under the Provisions of this Act at any Time after the Expiration of any Licence granted under this Act, nor in any House or Place not specified in such Licence: Provided always, that it shall be lawful for any Person so licensed to take out a fresh Retail Licence for the selling Beer by Retail before the Expiration of any former Retail Licence, and so from Year to Year; and if any Person, not being duly licensed to sell Beer as the Keeper of a common Inn, Alehouse, or Victualling House, shall sell any Beer by Retail without having an Excise Retail Licence in force authorizing such Person so to do, or after the Expiration of any such Licence, or without renewing such Licence in manner aforesaid, or in any House or Place not specified in such Licence, or if any such Person so licensed shall deal in or retail any Wine or Spirits, every such Person so offending shall for every such Offence forfeit and lose the Sum of Twenty Pounds.

Such Penalty may be recovered as other Excise Penalties.

VIII. And be it further enacted, That the said last-mentioned Fine, Penalty, or Forfeiture of Twenty Pounds, shall and may be sued for, recovered, levied, mitigated, and distributed by such Ways, Means, and Methods as any Fine, Penalty, or Forfeiture may be sued for, recovered, levied, mitigated, or distributed by any Law or Laws of Excise; and that one Moiety of every such Fine, Penalty, or Forfeiture shall be to His Majesty, His Heirs and Successors, and the other Moiety to him or them who shall inform, discover, or sue for the same.

Powers of Excise Act 7 & 8 G. 4. c. 53., &c. extended to this Act.

IX. And be it further enacted, That all the Powers and Authorities, Directions, Rules, Regulations, Methods, Penalties, Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Collection and Management of the Revenue of Excise throughout* Great

Great Britain *and* Ireland, or by any other Law now in force relating to His Majesty's Revenue of Excise, are provided and established for enforcing, regulating, managing, raising, levying, collecting, paying, mitigating, recovering, adjudging, or distributing the Penalties thereby imposed, and all Matters and Things therein relating to Excise Licences, (except where otherwise provided by this Act, or repugnant thereto,) shall and may be exercised, practised, applied, used, and put in execution in and for the enforcing, regulating, managing, raising, levying, collecting, paying, mitigating, recovering, adjudging, or distributing the said Penalty of Twenty Pounds, and all Matters and Things relating to the said Licences hereby authorized and required to be granted as aforesaid, as fully and effectually to all Intents and Purposes as if all and every the said Powers, Authorities, Directions, Rules, Regulations, Methods, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in this present Act; any thing herein-after contained to the contrary thereof in anywise notwithstanding.

Proviso for Partners.

X. Provided always, and be it further enacted, That Persons trading in Partnership, and in One House or Premises only, shall not be obliged to take out more than One Licence in any One Year, for selling any Beer by Retail under the Provisions of this Act: Provided also, that no One Licence which shall be granted by virtue of this Act shall authorize or empower any Person or Persons to sell any Beer, Ale, or Porter, under the Provisions of this Act, in any House or Place other than the House or Place mentioned in such Licence for selling Beer, Ale, and Porter by Retail under the Provisions of this Act, and in respect whereof such Licence shall be granted.

Licence shall not extend to any other House.

Houses to be closed by Order of Justices in Cases of Riot, &c.

XI. And be it further enacted, That it shall be lawful for any One Justice acting for any County or Place where any Riot or Tumult shall happen, or for any Two or more Justices where any Riot or Tumult may be expected to take place, to order or direct that every Person licensed under this Act, and keeping any House, situate within their respective Jurisdictions, in or near the Place where such Riot or Tumult shall happen or be expected to take place, shall close his House at any Time which such Justice or Justices shall order or direct; and every such Person who shall keep open his House at or after any Hour at which such Justices shall have so ordered or directed such House to be closed shall be taken and deemed to have not maintained good Order and Rule therein, and to be guilty of an Offence against the Tenor of the Licence granted to such Person.

Standard Measures to be used.

XII. And be it further enacted, That every Person under this Act licensed to sell Beer by Retail shall sell or otherwise dispose of all such Beer by Retail (except in Quantities less than a Half Pint) by the Gallon, Quart, Pint, or Half Pint Measure sized according to the Standard, and shall also retail the same in a Vessel sized according to such Standard, and in default thereof he shall for every such Offence forfeit the illegal Measure, and pay a Sum not exceeding Forty Shillings, together with the Costs of the Conviction, to be recovered, within Thirty Days next after that on which such Offence

was committed, before Two Justices; and such Penalty shall be over and above all Penalties to which the Offender may be liable under any other Act.

Penalty on Retailers permitting Drunkenness, &c. in their Houses.

XIII. And be it further enacted, That every Seller of Beer, Ale, and Porter by Retail, having a Licence under the Provisions of this Act, who shall permit any Person or Persons to be guilty of Drunkenness or disorderly Conduct in the House or Premises mentioned in such Licence, shall for every such Offence forfeit the respective Sums following; and every Person who shall in any way transgress or neglect, or shall be a Party in transgressing or neglecting, the Conditions and Provisions specified in such Licence, or shall allow such Conditions or Provisions to be in any way transgressed or neglected, in the House or Premises so licensed, shall be deemed

First Offence.

guilty of disorderly Conduct; and every Person so licensed who shall permit any such disorderly Conduct shall for the First Offence forfeit any such Sum, not less than Forty Shillings nor more than Five Pounds, as the Justices before whom such Retailer shall be convicted of such Offence shall adjudge; and for the Second such Offence, any Sum not less than Five Pounds nor more than Ten Pounds; and for the Third such Offence, any Sum not less than Twenty Pounds nor more than Fifty Pounds; and it shall be lawful for the Justices before whom any such Conviction for such Third Offence shall take place to adjudge, if they shall so think fit, that such Offender shall be disqualified from selling Beer by Retail for the Space of Two Years next ensuing such Conviction, and also (if they shall so think fit) to adjudge that no Beer shall be sold by Retail by any Person in the House or Premises mentioned in the Licence of such Offender; and if any Person so licensed as aforesaid shall knowingly sell any Beer, Ale, or Porter made otherwise than from Malt and Hops, or shall mix or cause to be mixed any Drugs or other pernicious Ingredients with any Beer sold in his House or Premises, or shall fraudulently dilute or in any way adulterate any such Beer, such Offender shall for the First Offence forfeit any Sum not less than Ten Pounds nor more than Twenty Pounds, as the Justices before whom such Offender shall be convicted of such Offence shall adjudge; and for the Second such Offence such Offender shall be adjudged to be disqualified from selling Beer, Ale, or Porter by Retail for the Term of Two Years, or to forfeit any Sum of Money not less than Twenty Pounds nor more than Fifty Pounds, at the Discretion of the Justices before whom such Offender shall be adjudged guilty of such Second Offence; and if any Offender convicted of such Offence as last aforesaid shall during such Term of Two Years sell any Beer, Ale, or Porter by Retail, either in the House and Premises mentioned in the Licence of such Offender, or in any other Place, he shall forfeit any Sum not less than Twenty-five Pounds nor more than Fifty Pounds, and shall be subject to a like Penalty at any and every House or Place where he shall commit such Offence; and if any Person shall at any Time, during any Term in which it shall not be lawful for Beer to be sold by Retail on the Premises of any Offender, sell any Beer by Retail on such Premises, knowing that it was not lawful to be sold, such Offender shall forfeit any Sum not less than Ten

Second Offence.

Third Offence.

Penalty on mixing Drugs in Beer, or adulterating Beer.

First Offence.

Second Offence.

Penalty on selling after Conviction of Second Offence.

Pounds nor more than Twenty Pounds, as the convicting Justices shall adjudge.

Retailers Houses shall not be open before 4 in the Morning nor after 10 in the Evening; nor on Sundays between 10 and 1, or 3 and 5, in the Day.

XIV. And be it further enacted, That no Person licensed to sell Beer by Retail under this Act shall have or keep his House open for the Sale of Beer, nor shall sell or retail Beer, nor shall suffer any Beer to be drank or consumed, in or at such House, at any Time before the Hour of Four of the Clock in the Morning nor after Ten of the Clock in the Evening of any Day in the Week, nor at any Time between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, nor at any Time between the Hours of Three and Five of the Clock in the Afternoon, on any *Sunday*, *Good Friday*, *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving; and if any such Person shall keep his House open for selling Beer, or shall sell or retail Beer, at any Time after the Hour of Ten of the Clock in the Evening or before the Hour of Four of the Clock in the Morning of any Day, or between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, or between the Hours of Three and Five of the Clock in the Afternoon, on any *Sunday*, *Good Friday*, *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving, such Person shall forfeit the Sum of Forty Shillings for every Offence; and every separate Sale shall be deemed a separate Offence.

Penalties recoverable before Two Justices in Petty Sessions, within Three Months after Offence committed.

XV. And be it further enacted, That all Penalties under this Act, save and except the Penalty herein-before mentioned for selling Beer by any Person not duly licensed, shall and may be recovered upon the Information of any Person whomsoever before Two Justices acting in Petty Sessions; and that every such Penalty shall be prosecuted and proceeded for within Three Calendar Months next after the Commission of the Offence in respect of which such Penalty shall be incurred; and every Person licensed under this Act who shall be convicted, before Two Justices so acting in and for the Division or Place in which shall be situate the House kept or theretofore kept by such Person, of any Offence against the Tenor of the Licence to him granted under this Act, or of any Offence for which any Penalty is imposed by this Act, shall, unless Proof be adduced to the Satisfaction of such Justices that such Person had been theretofore convicted before Two Justices within the Space of Twelve Calendar Months next preceding of some Offence against the Tenor of his Licence or against this Act, be adjudged by such Justices to be guilty of a First Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific Penalty be imposed for such Offence, then any Sum not exceeding Five Pounds, together with the Costs of the Conviction; and if Proof shall be adduced to the Satisfaction of such Justices that such Person had been previously convicted before Two Justices within the Space of Twelve Calendar Months next preceding of One such Offence only, such Person shall be adjudged by such Justices to be guilty of a Second Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific

specific Penalty be so imposed, then any Sum not exceeding Ten Pounds, together with the Costs of the Conviction; and if Proof shall be adduced to the Satisfaction of such Justices that such Person had been previously convicted before Two Justices within the Space of the Eighteen Calendar Months next preceding of Two such separate Offences, and if Proof shall be adduced to the Satisfaction of the Justices that such Person so charged is guilty of the Offence charged against him, such Person shall be adjudged to be guilty of a Third Offence against the Provisions of this Act, and to forfeit and pay any Penalty imposed by this Act in respect of such Offence, or if no such specific Penalty shall be imposed, then to forfeit and pay the Sum of Fifty Pounds, together with the Costs of the Conviction.

Appeal to the Quarter Sessions.

XVI. Provided always, and be it enacted, That it shall and may be lawful for the Party convicted of any such Third Offence to appeal to the General Sessions or Quarter Sessions of the Peace then next ensuing, unless such Sessions shall be held within Twelve Days next after such Conviction, and in that Case to the then next subsequent Sessions; and in such Case the Party so convicted shall before such Justices so convicting forthwith enter into a Recognizance, with Two sufficient Sureties, personally to appear at the said General Session or Quarter Session, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; which Recognizances such Justices are hereby authorized to require and take; or, in failure of the Party convicted entering into such Recognizance, such Conviction shall remain good and valid to all Intents and Purposes; and the said Justices who shall take such Recognizance from the Party convicted are also hereby required to bind the Person who shall make such Charge in a Recognizance to appear at such General or Quarter Sessions as aforesaid, then and there to give Evidence against the Person so charged, and in like Manner to bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and it shall be lawful for the said Court of General Session or Quarter Session to adjudge such Person to be guilty of any such Third Offence against the Provisions of this Act, as the Case may be, and such Adjudication shall be final to all Intents and Purposes; and it shall be lawful for such Court of General Session or Quarter Session to punish such Offender by Fine not exceeding the Sum of One hundred Pounds, together with the Costs of such Appeal, or to adjudge the Licence granted to and held by or on behalf of such Offender to be forfeited and void, or to adjudge that no Beer shall be sold by Retail in the House or Premises mentioned in the Licence of such Offender for the Term of Two Years from the Date of such Adjudication, or to punish such Offender by such Fine as aforesaid, and to adjudge such Premises to be disqualified for the Sale of Beer as aforesaid, and such Licence to be forfeited and void; and if such Licence shall be adjudged to be forfeited and void, it shall thenceforth be void accordingly; and whenever in such Case or in any other Case the Licence of such Offender shall be adjudged to be void, such Offender shall from and after such Adjudication be deemed and taken to be incapable of selling Beer, Ale, or Porter by Retail, in any House kept by him, for the

the Space of Two Years, to be computed from the Time of such Adjudication; and any Licence granted to such Person during such Term shall be void to all Intents and Purposes.

Court to adjudge Costs of Appeal in certain Cases.

XVII. And be it further enacted, That whenever it shall happen that any Appeal respecting which any Recognizance shall be entered into in pursuance of this Act shall be dismissed, or that the Conviction appealed against shall be affirmed, or that such Appeal shall be abandoned, it shall be lawful for the Court to whom such Appeal shall have been made or intended to be made, and such Court is hereby required, to adjudge and order that the Party so having appealed or having entered into such Recognizance shall pay to the Justices before whom such Recognizance shall have been entered into, or to whomsoever they shall appoint, such Sum by way of Costs as shall in the Opinion of such Court be sufficient to indemnify such Justices from all Costs and Charges whatsoever to which such Justices may have been put in consequence of the Intention or declared Intention of such Party to appeal; and if such Party shall refuse or neglect to pay forthwith such Sum, it shall be lawful for the said Court to adjudge and order that the Party so refusing or neglecting shall be committed to the Common Gaol or House of Correction, there to remain until such Sum be paid, or for any Time not exceeding Six Calendar Months, unless such Sum be sooner paid; and in every Case in which the Conviction so appealed against shall be reversed, it shall be lawful for such Court (if it shall think fit) to adjudge and order that the Treasurer of the County or Place in and for which such Justices whose Judgment shall have been so reversed shall have acted on the Occasion when they shall have given such Judgment, shall pay to such Justices, or whomsoever they shall appoint, such Sum as shall in the Opinion of such Court be sufficient to indemnify such Justices from all Costs and Charges whatsoever to which such Justices may have been so put; and the said Treasurer is hereby authorized to pay the same, which shall be allowed to him in his Accounts.

Proceedings at the Session in certain Cases to be carried on by the Petty Constable.

XVIII. And be it further enacted, That in every Case in which any Appeal shall be made, by any Person convicted of any Offence under the Provisions of this Act, to the General Session or Quarter Session, it shall be lawful for the convicting Justices, if no other fit and proper Person shall appear to prosecute such Charge and to carry on such Proceedings as may be necessary to obtain at such Session an Adjudication thereon, to order that the Constable or other Peace Officer of the Parish or Place in which shall be situate the House kept by the Person charged shall carry on all Proceedings necessary to obtain such Adjudication as aforesaid, and to bind such Constable or other Peace Officer in a sufficient Recognizance so to do; and it shall be lawful for the Justices before whom such Offender shall have been convicted to order the Treasurer of the County or Place in and for which such Justices shall then act to pay to such Constable or other Peace Officer, and to the Witness or Witnesses on his Behalf, such Sum or Sums of Money as to the Court shall appear to be sufficient to reimburse such Constable or other Peace Officer, and such Witness or Witnesses respectively, the Expences that he or they

Expences of Prosecution to be charged on County Rates.

they shall have been severally put to in and about such Prosecution, which Order the Clerk of the Peace is hereby directed and required forthwith to make out and to deliver to such Constable or other Peace Officer, or to such Witness or Witnesses; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay to such Constable or other Peace Officer, or other Person authorized to receive the same, such Money as aforesaid, and the said Treasurer shall be allowed the same in his Accounts.

In default of Payment of Penalties, Proceedings may be had against the Sureties.

XIX. And be it further enacted, That in case any Person licensed under this Act shall be convicted of any Offence against this Act, and shall not pay the Penalty incurred by such Conviction, it shall be lawful for the Justices convicting such Offender, after the Expiration of One Calendar Month next after such Conviction, to summon any Surety or Sureties named in the Bond entered into and executed by such Person and his Surety or Sureties at the Time of obtaining his Licence, to appear before the said Justices, and shew Cause why the Penalty mentioned in such Bond should not be paid by such Surety or Sureties, or so much thereof as shall be sufficient to pay any Penalty incurred by the Party licensed, or to satisfy so much of such Penalty so incurred as shall remain unpaid; and in case any such Surety shall not shew any sufficient Cause to the contrary, it shall be lawful for such Justices to adjudge that such Penalty, if not paid, or so much thereof as aforesaid, shall be paid by such Surety within Fourteen Days; and in case such Penalty, or so much thereof as aforesaid, shall not be paid within Fourteen Days, it shall be lawful for such Justices, if they shall think fit, to issue their Warrant, and to levy the Amount of such Penalty, or so much thereof as aforesaid, by Distress and Sale of the Goods and Chattels of such Surety, together with the Costs of such Distress and Sale; and the Certificate of the Commissioners of Excise, or their Officer, or other Persons by this Act authorized to grant any Licence, of the Date of such Bond, and the Names and Descriptions of the Surety or Sureties in such Bond, shall be sufficient Evidence of such Bond, and of the Contents and Execution thereof, against any Surety or Sureties, in any Proceedings under this Act.

Penalty on Witnesses not attending.

XX. And be it further enacted, That any Person summoned as a Witness to give Evidence before any Justices or Sessions touching any of the Matters aforesaid, either on the Part of the Complainant or of the Person accused, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by such Justices or Sessions, or who appearing shall refuse to be examined on Oath or Affirmation and give Evidence, shall on Conviction before such Justices forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalties may be levied by Distress.

XXI. And be it further enacted, That in every Case in which under the Authority of this Act any Justices shall adjudge that any Offender shall pay or cause to be paid any Penalty, and such Offender shall refuse or neglect, within Seven Days after his Conviction, to pay such Penalty, and any Costs which shall have been duly assessed

and ascertained by such Justices, it shall be lawful for such Justices, if they shall think fit, to issue their Warrant, and to levy the Amount of such Penalty and Costs by Distress and Sale of the Goods and Chattels of such Offender, together with the Costs of such Distress and Sale; and in every such Case such Offender, if in Custody at the Time that such Warrant shall be so issued, shall be forthwith discharged; but if it shall appear to such Justices that the Goods and Chattels of such Offender are not sufficient whereon to levy such Distress, together with the Costs of such Distress and Sale, it shall be lawful for such Justices to commit the Offender to the Common Gaol or to the House of Correction of the County or Place for which such Justices shall be then acting, for any Term not exceeding One Calendar Month if the Penalty shall not be above Five Pounds, for any Term not exceeding Three Calendar Months if the Penalty shall be above Five Pounds and shall not be more than Ten Pounds, and for any Term not exceeding Six Calendar Months if the Penalty shall be above Ten Pounds: Provided nevertheless, that whenever such Offender shall have been committed to the Common Gaol or House of Correction in consequence of his not having duly paid such Penalty and Costs, if such Offender shall pay or cause to be paid to the Gaoler or Keeper of the House of Correction, or to whomsoever such Justices shall have appointed, the Penalty imposed, and Costs, together with all the Costs of the Apprehension of him and of the Conveyance of him to the said Gaol or House of Correction, at any Time previous to the Expiration of the Time for which such Offender shall so have been committed, such Offender shall be forthwith discharged.

If Offender has not sufficient Goods whereon to levy, Justices may commit him.

Proviso for Offenders paying Penalties, &c. to Gaoler.

XXII. And be it further enacted, That any Justices before whom any Penalty shall be recovered under the Provisions of this Act shall award, if they shall think fit, any Portion of the same, not in any Case exceeding One Moiety thereof, to the Use of the Prosecutor; and the Remainder, or in case no Part of such Penalty shall be awarded to the Prosecutor, then the Whole of such Penalty, shall be awarded to be paid and shall be paid to the Treasurer of the County within which such Offence shall be committed, to be applied by the said Treasurer towards defraying the Expences of such County, and in aid of the County Rates of such County.

Application of Penalties.

XXIII. And be it further enacted, That whenever at any Session for any Liberty, County of a City, County of a Town, City or Town Corporate, there shall not be present at least Two Justices acting in and for any such Liberty, County of a City, County of a Town, City or Town Corporate, it shall be lawful for the Justices acting in and for the County or Counties adjoining to such Liberty, County of a City, County of a Town, City or Town Corporate, to act within such Liberty or Place, and with the Justice or Justices thereof who shall be present at any such Sessions as aforesaid, for the Purpose of hearing Complaints as to Offences against this Act; any Law, Custom, or Usage to the contrary notwithstanding.

If Justices of Liberties, &c. do not attend at Sessions, the County Justices may act.

XXIV. Provided always, and be it further enacted, That nothing herein contained shall extend to give the Justices of the County or any

Powers hereby given to Justices

of Counties not to extend to the Cinque Ports.

any Division thereof any Power or Authority for the putting of the Provisions of this Act in execution within any of the Cinque Ports or either of the Two ancient Towns, or any of the Corporate or other Members or Liberties of the Cinque Ports or Two ancient Towns; but that it shall be lawful for the Justices of and for each of the principal Cinque Ports and Two ancient Towns, and the Liberties thereof, and for the Justices of and for the Liberties thereof, and the Corporate Members, to act within the same respectively as they have been accustomed, and for them or any of them to act within each of the Corporate Members immediately belonging or subordinate to such principal Cinque Port or ancient Town, with the Justice or Justices of each such Corporate Member, for the Purpose of hearing Complaints as to Offences against this Act in all such Cases in which the Justices of the County are hereinbefore empowered or authorized to act with the Justice or Justices of any Liberty, County of a City, County of a Town, City or Town Corporate.

Form of Conviction.

XXV. And in order to prevent frivolous and vexatious Appeals, be it further enacted, That a Conviction in the Form or to the Effect following, *mutatis mutandis*, as the Case may be, shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case or the Facts or Evidence in any more particular Manner; (that is to say,)

'to wit. } BE it remembered, That on this Day of in the Year *A. B.* of was duly convicted before us, *C. D.* and *E. F.*, Two of His Majesty's Justices of the Peace in Petty Sessions for the of for that [*here state the Offence, and the Time and Place when committed,*] whereby the said *A. B.* has forfeited the Sum of this being adjudged to be the First [*or* Second, *or* Third] Offence [*as the Case shall happen to be*] against the Provisions of an Act to permit the general Sale of Beer and Cyder by Retail in *England*, besides the Costs of this Conviction, which we the said Justices do hereby assess at the Sum of pursuant to the Statute in such Case made and provided. Given under our Hands and Seals, the Day and Year above written.'

Convictions to be returned to the Quarter Sessions, and filed of Record.

XXVI. And be it further enacted, That the Justices before whom any such Conviction shall have been made shall return the same, or cause the same to be returned, to the next General Session or Quarter Session of the Peace holden for the County or Place wherein the Offence shall have been committed, and such Conviction shall be then and there delivered to the Clerk of the Peace or other Person acting as such, to be by him filed or enrolled amongst the Records of the said Court; and the Certificate of the Clerk of the Peace of such Conviction, which he is hereby required to grant, on Demand, upon Payment of One Shilling, shall be legal Evidence of every such Conviction.

Writ of Certiorari not to be allowed.

XXVII. And be it further enacted, That no Conviction under this Act, nor any Adjudication made upon Appeal therefrom, shall be quashed for Want of Form, nor shall be removed by Writ of Certiorari or

or otherwise into any of His Majesty's superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and that there be a good and valid Conviction to sustain the same.

Actions against Justices, &c.

XXVIII. And be it further enacted, That every Action against any Justice, Constable, or other Person, for or on account of any Matter or Thing whatsoever done or commanded by him in the Execution of his Duty or Office under this Act, shall be commenced within Three Calendar Months after the Cause of Action or Complaint shall have arisen, and not afterwards; and if any Person shall be sued for any Matter or Thing which he shall have done in the Execution of this Act, he may plead the General Issue and give the special Matter in Evidence.

Act not to affect the Two Universities, nor the Vintners Company in London;

XXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or any of the Powers and Authorities vested by Charter or otherwise in the Chancellors, Masters, and Scholars of the said Universities, and their Successors, or in the Master, Wardens, Freemen, and Commonalty of the Vintners of the City of *London*, but not to extend to those Freemen of the said Company of Vintners who have obtained the same by Redemption only; nor in any way to affect any Licence to the Keeper of any Inn, Alehouse, or Victualling House, unless in so far as relates to the Sale of Beer by Retail; nor to prohibit any Person from selling Beer in Booths or other Places at the Time and within the Limits of the Ground or Place in or upon which is holden any lawful Fair, in like Manner as such Person was authorized to do before the passing of this Act.

nor to prohibit the Sale of Beer at Fairs as heretofore.

Licences to retail Cyder may be granted under the Regulations of this Act, on Payment of 1*l.* 1*s.* Duty.

XXX. And whereas it is expedient that the Sale of Cyder and Perry by Retail should be licensed in like Manner and should be subject to the like Regulations as the Sale of Beer; be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and thirty, it shall be lawful for any Person desirous of selling Cyder and Perry by Retail to apply for and to obtain an Excise Licence for that Purpose, under the same Regulations in all respects (except as herein-after is otherwise provided) as are in this Act prescribed and contained with respect to Persons desirous of selling Beer, Ale, and Porter by Retail, and of being licensed for that Purpose; and that all the Clauses, Regulations, and Provisions in this Act contained relating to the Sale of Beer by Retail, and to the Licences for selling the same, and to the Sureties for the Parties licensed, and to the Conduct of the Parties licensed, and to all other Matters whatever respecting the selling of Beer by Retail, and the Retailers thereof, and the Licences for the same, and the Houses where the same are sold, and the Penalties against the Parties licensed, shall be taken and deemed to be applicable to the Sale of Cyder and Perry by Retail, and to Licences for the same, and to the Sellers of Cyder and Perry by Retail, as if Cyder and Perry, and the Retailers thereof, were expressly mentioned and specified in and throughout this Act: Provided always, that the

Provisions and Penalties of this Act with respect to the Sale of Beer to apply to the Sale of Cyder.

Person receiving a Licence for selling Cyder or Perry by Retail shall pay for such Licence a Duty of One Pound One Shilling and no more, instead of the Duty of Two Pounds Two Shillings herein-before mentioned, and which said Duty of One Pound One Shilling shall be applied in like Manner as the said Duty of Two Pounds Two Shillings is herein-before directed to be applied; and every such Licence shall be according to the Form in the Schedule annexed to this Act: Provided also, that any Person licensed under this Act to sell Beer by Retail may sell also Cyder and Perry by Retail without receiving a separate Licence for that Purpose; but that no Person licensed to sell Cyder and Perry by Retail, and paying for such Licence, as herein provided, the Sum of One Pound and One Shilling, shall be at liberty to sell Beer by Retail.

Persons licensed to retail Beer may also retail Cyder.

Covenants against Houses, &c. being used as Public Houses to extend to Persons licensed under this Act.

XXXI. Provided always, and be it enacted, That any and every Covenant or Clause of Restriction contained in any Lease or Contract between any Landlord and Tenant, whereby the Trade or Business of a Victualler or Publican is prohibited from being carried on in any House, Building, or Place mentioned or comprised in such Lease or Contract, or whereby any such House, Building, or Place is prohibited from being used as a Public House or Alehouse, shall apply and extend, and shall be construed to apply and extend, to every Person who shall be licensed to sell Beer, Ale, or Porter, or Cyder or Perry, under the Provisions of this Act, and to any and every House specified and mentioned in the Licence granted to such Person.

Rules for the Interpretation of this Act.

XXXII. And in order to remove Doubts as to the Meaning of certain Words in this Act, be it enacted, That the Word "Justice" shall be deemed to mean Justice of the Peace; and that the Word "Person," and the Word "Party," shall be deemed to include any Number of Persons and Parties; and that the Word "Licence," and the Word "Day," and the Word "Time," and the Word "House," and the Word "Place," shall each be deemed to include any Number of Licences, Days, Times, Houses, or Places; and that the Word "Beer" shall in all Cases be deemed to include Beer, Ale, and Porter; and that the Word "Cyder" shall in all Cases be deemed to include Cyder and Perry; and that the Word "County," and the Words "County or Place," shall be deemed severally to include any County, Riding, Division of the County of *Lincoln*, Hundred, Division of a County, Liberty, Division of a Liberty, County of a City, County of a Town, City, Cinque Port, or Town Corporate; and the Words "Division or Place" shall be deemed to include any Division of a County or Riding, Liberty, Division of a Liberty, County of a City, County of a Town, City, Cinque Port, or Town Corporate; and that the Words "Parish or "Place" shall be deemed to include any Township, Hamlet, Tithing, Vill, Extra-parochial Place, or any Place maintaining its own Poor; and that the Word "Penalty" shall be deemed to include any Fine, Penalty, or Forfeiture of a pecuniary Nature; and that the Meaning of the several Words in this Act shall not be restricted, although the same may be subsequently referred to in the Singular Number or Masculine Gender only.

SCHEDULE to which this Act refers.

FORM OF LICENCE.

WE the undersigned, being of the Commissioners of the Excise [*or* I the undersigned, being a Person authorized and employed by the Commissioners of Excise to grant Licences for selling Beer [*or* Cyder and Perry, *as the Case may require,*] by Retail, *or* being a Collector or Supervisor of Excise for the Collection or District of] do hereby authorize and empower *A. L.*, now being a Householder, and dwelling at in the Parish of within the Limits of the Chief Office of Excise [*or* within the Limits of the said Collection or District], to sell Beer, Ale, and Porter [*or* Cyder and Perry] by Retail in the Dwelling House of the said *A. L.* and in the Premises thereunto belonging, the said *A. L.* having duly entered into a Bond, with *D. S.* of and *E. S.* of as his Surety [*or* Sureties], pursuant to the Act in such Case made: Provided, and upon Condition, that he or she [does not sell any Beer, Ale, or Porter made otherwise than from Malt and Hops] [*omit these Words in Licences to retail Cyder and Perry*]; nor mix or cause to be mixed any Drugs or other pernicious Ingredients in any Beer, Ale, or Porter [*or* in any Cyder or Perry]; nor fraudulently dilute, deteriorate, or adulterate any Beer, Ale, or Porter [*or* any Cyder or Perry]; nor sell any Beer, Ale, or Porter [*or* any Cyder or Perry] knowing the same to have been fraudulently diluted, deteriorated, or adulterated; nor use, in selling any Beer, Ale, or Porter [*or* any Cyder or Perry], any Measures which are not of the legal Standard; nor wilfully or knowingly permit any Drunkenness or any violent or quarrelsome or other disorderly Conduct in his [*or* her] House or Premises; nor knowingly suffer any unlawful Games or any Gaming whatsoever therein; nor knowingly permit or suffer Persons of notoriously bad Character to assemble and meet together therein; nor permit or suffer any Beer, Ale, or Porter [*or* any Cyder or Perry] to be drank or consumed in or upon or to be conveyed from or out of his [*or* her] Premises between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon, nor between the Hours of Three and Five of the Clock in the Afternoon, on Sundays, Christmas Day, and Good Friday, or any Day appointed for a Public Fast or Thanksgiving, nor at any Time before the Hour of Four of the Clock in the Morning, or after the Hour of Ten of the Clock in the Evening, of any Day; but do maintain good Order and Rule therein; and all Provisions for billeting Officers and Soldiers in Victualling Houses, contained in any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, are to extend and apply to the House and Premises mentioned in this Licence: And this Licence shall continue in force from the Day of next until the Day of then next ensuing, and no longer; provided, and upon Condition, that the said *A. L.* shall not in the meantime become a Sheriff's Officer, or Officer for executing the Process of any Court of Justice, nor shall in the meantime cease to be a Householder; and this Licence shall cease and determine, and shall become void, in case any of the Conditions or Regulations contained therein shall be transgressed, or shall not be observed by the said *A. L.* Given under our Hands and Seals [*or* my Hand and Seal], this Day of One thousand eight hundred and at .

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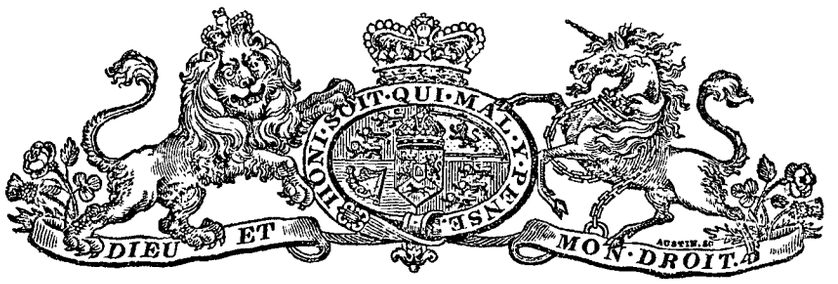

ANNO PRIMO

GULIELMI IV. REGIS.

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47 G. 3. c. 8. s. 2. *An Act concerning Common Recoveries suffered in Copyhold or Customary Courts by Attorney:* And whereas an Act was passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled 59 G. 3. c. 80. *An Act concerning Common Recoveries to be suffered by Attorney in Courts of ancient Demesne, and to explain an Act of His present Majesty relative to the Sale or mortgaging of Estates of Lunatics:* And whereas an Act was passed in the Sixth Year of the Reign of His late 6 G. 4. c. 74. Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Conveyances and Transfers of Estates and Funds vested in Trustees who are Infants, Idiots, Lunatics, or Trustees of unsound Mind, or who cannot be compelled or refuse to act; and also the Laws relating to Stocks and Securities belonging to Infants, Idiots, Lunatics, and Persons of unsound Mind:* And whereas an Act was passed in the Ninth Year of the Reign of His said late Ma- 9 G. 4. c. 78. jesty, intituled *An Act for extending the Acts passed in the Forty-third and Fifty-ninth Years of the Reign of His late Majesty King* George *the Third, for the Sale and Mortgage of Estates of Persons found Lunatics by Inquisition taken in* England *and* Ireland, *so as to authorize such Sale and Mortgage for other Purposes; and for rendering Inquisitions or Commissions of Lunacy taken in* England *available in* Ireland, *and like Inquisitions taken in* Ireland *available in* England: And whereas it is expedient the Provisions of the said Acts should be consolidated and amended; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Eleventh Year of the Reign of Queen *Anne*, the Ninth Year of the Reign of King *George* the First, the Twenty-ninth Year of the Reign of King *George* the Second, the Eleventh, Forty-third, Forty-seventh, and Fifty-ninth Years of the Reign of King *George* the Third, and the Ninth Year of the Reign of His late Majesty King *George* the Fourth, and also the said recited Act of the Sixth Year of the Reign of His present Majesty, so far as the said last-mentioned Act relates to Stocks, Funds, Annuities, and Securities belonging beneficially to Persons being Infants, Idiots, Lunatics, or of unsound Mind, shall be and the same are hereby repealed, (except as to such Proceedings under the same as shall have been commenced before the passing of this Act, and which may be proceeded in according to the Provisions of the said recited Acts respectively, or according to the Provisions of this Act, as shall be thought expedient): Provided always, that the several Acts repealed by the said last-recited Act shall not be revived.

Recited Acts of 11 Ann., 9 G. 1., 29 G. 2. 11, 43, 47, and 59 G. 3., 9 G. 4., and so much of 6 G. 4. as relates to Funds belonging to Infants, &c. repealed.

Rules for the Interpretation of this Act.

II. And inasmuch as, in order to avoid unnecessary Repetition, certain Words are used in this Act as describing Subjects some of which, according to their usual Sense, such Words would not embrace; for the understanding of the Sense attached to them in this Act, be it further enacted, That the Provisions of this Act shall extend and be understood to extend to and include the several other Estates, Persons, Matters, and Things herein-after mentioned; (that is to say,) those relating to Land, to any Manor, Messuage, Tenement, Hereditament, or Real Property of whatsoever Tenure, and to Property of every Description transferrable otherwise than in Books kept

by any Company or Society, or any Share thereof or Charge thereon, or Estate or Interest therein; those relating to Stock, to any Fund, Annuity, or Security transferrable in Books kept by any Company or Society, or to any Money payable for the Discharge or Redemption thereof, or any Share or Interest therein; those relating to Dividends, to Interest or other annual Produce; those relating to the Bank of *England*, to the *East India* Company, *South Sea* Company, or any other Company or Society established or to be established; those relating to a Conveyance, to any Release, Surrender, Assignment, or other Assurance, including all Acts, Deeds, and Things necessary for making and perfecting the same; those relating to a Transfer, to any Assignment, Payment, or other Disposition; and those relating to a Lunatic, to any Idiot or Person of unsound Mind or incapable of managing his Affairs; unless there be something in the Subject or Context repugnant to such Construction; and whenever this Act, in describing or referring to any Person, or any Land, Stock, Conveyance, Lease, Recovery, Matter, or Thing, uses the Word importing the Singular Number or the Masculine Gender only, the same shall be understood to include and shall be applied to several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, and several Lands, Stocks, Conveyances, Leases, Recoveries, Matters, or Things, as well as one Land, Stock, Conveyance, Lease, Recovery, Matter, or Thing respectively, unless there be something in the Subject or Context repugnant to such Construction.

Infants, FemesCovert, and Lunatics may be admitted to Copyhold Estates by their Guardian, Committee, or Attorney.

III. And be it further enacted, That from and after the passing of this Act, where any Person being under the Age of Twenty-one Years, or being a Feme Covert or Lunatic, is or shall be entitled by Descent, or Surrender to the Use of a last Will, or otherwise, to be admitted Tenant of any Copyhold Lands, such Person, in his or her own proper Person, or being a Feme Covert by her Attorney, or being an Infant by his Guardian or Attorney, as the Case may require, or being a Lunatic by the Committee of his Estate, shall come to and appear at one of the Three next Courts which shall be kept (for the keeping whereof the usual Notice shall be given) for the Manor whereof such Land shall be Parcel, and shall there offer himself or herself to the Lord or his Steward to be admitted Tenant to the said Land; to make which Appearance and to take which Admittance in behalf of such Infant or Lunatic or Feme Covert, such Guardian, Committee, or Attorney shall be and is hereby respectively authorized and required.

Femes Covert, Infants, &c. may appoint Attornies for that Purpose.

IV. And be it further enacted, That it shall be lawful for any Feme Covert, and for any Infant who shall have no Guardian, and she and he is hereby empowered, by Writing under her or his Hand and Seal respectively, to appoint an Attorney or Attornies on her or his Behalf, for the Purpose of appearing and taking such Admittance as aforesaid.

In default of Appearance, the Lord may appoint an Attorney.

V. And be it further enacted, That in default of such Appearance of any Infant, Feme Covert, or Lunatic, in his or her own Person, or by his or her Guardian, Committee, or Attorney in that Behalf,

Behalf, and of Acceptance of such Admittance as aforesaid, it shall be lawful for the Lord of every such Manor, or his Steward, after such Three several Courts have been duly holden for such Manor, and Proclamations in such several Courts been regularly made, to appoint, at any subsequent Court to be holden for such Manor, any fit Person to be Attorney for every such Infant, Feme Covert, or Lunatic, for that Purpose only, and by such Attorney to admit every such Infant, Feme Covert, or Lunatic to the said Land, according to such Estate as such Infant, Feme Covert, or Lunatic shall be legally entitled to therein, and upon every such Admittance to impose and set such Fine as might have been legally imposed and set if such Infant had been of full Age, or if such Feme Covert had been sole and unmarried, and if such Lunatic had been of sane Mind.

Fines, in what Manner demandable.

VI. And be it further enacted, That upon every such Admittance of any Infant, Feme Covert, or Lunatic as aforesaid, the Fine imposed and set thereupon shall and may be demanded by the Bailiff or Agent of the Lord of such Manor, by a Note in Writing, signed by the Lord of such Manor or by his Steward, to be left with the Guardian of such Infant, or such Infant if he have no Guardian, or with such Feme Covert or her Husband, or with the Committee of the Estate of such Lunatic, or with the Tenant or Occupier of the Land to which such Infant, Feme Covert, or Lunatic shall have been admitted as aforesaid; and if the Fine so imposed and set be not paid or tendered to such Lord or his Steward within Three Months after such Demand made, then it shall be lawful for the Lord of such Manor to enter into and upon the Copyhold Land to which any such Infant, Feme Covert, or Lunatic shall be so admitted, and to hold and enjoy the same, and to receive the Rents, Issues, and Profits thereof, but without Liberty to fell any Timber standing thereon, for so long Time only and until by such Rents, Issues, and Profits such Lord shall be fully paid and satisfied such Fine, together with all reasonable Costs and Charges which such Lord shall have been put unto in levying and raising the same, and in obtaining the Possession of such Copyhold Land, although such Infant, Feme Covert, or Lunatic shall happen to die before such Fine and Fines, and the Costs and Charges aforesaid, shall be raised and collected; of all which Rents, Issues, and Profits so to be received by such Lord of such Manor, or his Steward, Bailiff, or Servant, upon the Occasion aforesaid, such Lord shall yearly and every Year, upon Demand to be made by the Person who shall be entitled to the Surplus of the said Rents and Profits, over and above what will pay and satisfy such Fine and Costs and Charges, or by the Person who shall be then entitled to such Copyhold Land, give and render a just and true Account, and shall pay the same Surplus, if any, to such Person as shall be entitled to the same.

If not paid, &c. the Lord may enter and receive the Profits of the Copyhold till he is satisfied, &c.

The Lord to account yearly;

and to deliver up Possession on Satisfaction of the Fines.

VII. And be it further enacted, That as soon as such Fine, and the Costs, Charges, and Expences aforesaid, shall be fully paid and satisfied, or if, after such Seizure and Entry of and upon such Copyhold Land for the Purposes aforesaid, such Fine, and the Costs and Charges aforesaid, shall be lawfully tendered and offered to be paid and satisfied

fied to the Lord of such Manor, then and in any of the said Cases it shall be lawful for such Infant, Feme Covert, Lunatic, or other Person entitled thereto, or the Guardian of such Infant, the Husband of such Feme Covert, or the Committee of such Lunatic, to enter upon and take Possession of and hold the said Copyhold Land according to the Estate or Interest such Infant, Feme Covert, or Lunatic shall be lawfully entitled to therein, and the Lord of such Manor shall and is hereby required in any of the said Cases to deliver Possession thereof accordingly; and if such Lord, after such Fine, and the Costs and Charges aforesaid, shall be fully paid and satisfied, or after the same shall have been tendered or offered to be paid as aforesaid, shall refuse to deliver the Possession of the said Copyhold Land as aforesaid, he or they shall be liable to and shall make Satisfaction to the Person or Persons so kept out of Possession, for all the Damages that he or she shall thereby sustain, and all the Costs and Charges that he or she shall be put unto for the Recovery thereof.

Guardians or Husbands, or Committees paying Fines, may reimburse themselves out of the Rents of the Copyhold.

VIII. And be it further enacted, That where any Infant, Feme Covert, or Lunatic shall be admitted to any Copyhold Land, if the Guardian of such Infant, or Husband of such Feme Covert, or Committee of such Lunatic, shall pay to the Lord of any Manor the Fine legally imposed and set upon such Admittance, and the Costs and Charges which such Lord of such Manor shall have been put unto as aforesaid, then it shall be lawful for every Guardian of such Infant, or Husband of such Feme Covert, or Committee of such Lunatic, his Executors and Administrators, to enter into and to hold and enjoy the said Land to which such Infant, Feme Covert, or Lunatic shall have been so admitted, and receive and take the Rents, Issues, and Profits thereof to his and their own Use, until thereby such Guardian of such Infant, or Husband of such Feme Covert, or Committee of such Lunatic, his Executors and Administrators, shall be fully satisfied and paid all and every such Sum and Sums of Money as he shall respectively pay and disburse upon the Account aforesaid, notwithstanding the Death of such Infants, Femes Covert, or Lunatic shall happen before such Sum or Sums of Money so expended shall or may be so raised and reimbursed.

No Forfeiture to be incurred by Infant, &c. for not appearing, or refusing to pay Fines.

IX. Provided always, and be it further enacted, That from and after the passing of this Act no Infant, Feme Covert, or Lunatic shall forfeit any Copyhold Land for his or her Neglect or Refusal to come to any Court to be kept for any Manor whereof such Land is Parcel, and to be admitted thereto, nor for the Omission, Denial, or Refusal of any such Infant, Feme Covert, or Lunatic to pay any Fine imposed or set upon his or her Admittance to any such Land.

Fines not warranted by Custom, &c. may be controverted.

X. Provided nevertheless, and be it further enacted, That if the Fine imposed in any of the Cases herein-before mentioned shall not be warranted by the Custom of the Manor, or shall be unlawful, then such Infant, Feme Covert, or Lunatic shall be at liberty to controvert the Legality of such Fine, in such Manner as he or she might have done if this Act had not been made.

Persons may appoint Attornies, &c. for surrendering Lands of which common Recoveries are intended to be suffered, &c.

XI. And be it further enacted, That it shall be lawful for any Person, not being under Coverture, and for every Feme Covert, (such Feme Covert being solely and secretly examined by the Lord of the Manor whereof the Land of which a Common Recovery is proposed to be suffered shall be holden by Copy of Court Roll, or in ancient Demesne, or otherwise, or by his Steward, or by the Deputy of such Steward,) to appoint any Person to be his or her Attorney, for the Purpose of surrendering the Land of which a Common Recovery shall be proposed to be suffered, to the Use of any Person, to make him Tenant to the Plaint, and also to appoint any other Person to appear for the Person so appointing as Vouchee, and to enter into the usual Warranty, and to do all other lawful and necessary Acts for the suffering and perfecting of such Common Recovery respectively, and to direct the Demandant in such Common Recovery respectively to surrender the Tenements so recovered, when or after such Recovery shall be suffered and perfected, to such Uses as shall be declared in the Instrument by which such Attorney shall be respectively appointed; and that the Surrender and Common Recovery which shall be had, acknowledged, and suffered as aforesaid shall have the like Effect, but no other, as such Surrender and Common Recovery would have had if the Party who shall acknowledge such Surrender and suffer such Common Recovery by Attorney, and give such Directions as aforesaid, had appeared in Court in his or her Person, and acknowledged the said Surrender, and suffered the same Recovery, and had joined in the Surrender to be made by such Defendant.

Guardians, of Minors, &c. in order to the Surrender and Renewal of Leases, may apply to the Court of Chancery, &c. and by Order may surrender such Leases, and renew the same, &c.

XII. And be it further enacted, That in all Cases where any Person, being under the Age of Twenty-one Years, or a Feme Covert, is or shall become entitled to any Lease or Leases made or granted or to be made or granted for the Life or Lives of One or more Person or Persons, or for any Term of Years, either absolute or determinable upon the Death of One or more Person or Persons, or otherwise, it shall be lawful for such Person under the Age of Twenty-one Years, or for his or her Guardian or other Person on his Behalf, and for such Feme Covert, or any Person on her Behalf, to apply to the Court of Chancery in *England*, the Courts of Equity of the Counties Palatine of *Chester*, *Lancaster*, and *Durham*, or the Courts of Great Session of the Principality of *Wales* respectively, as to Land within their respective Jurisdiction, by Petition or Motion in a summary Way; and by the Order and Direction of the said Courts respectively such Infant or Feme Covert, or his Guardian, or any Person appointed in the Place of such Infant or Feme Covert by the said Courts respectively, shall and may be enabled from Time to Time, by Deed or Deeds, to surrender such Lease or Leases, and accept and take, in the Place and for the Benefit of such Person under the Age of Twenty-one Years, or Feme Covert, One or more new Lease or Leases of the Premises comprised in such Lease surrendered by virtue of this Act, for and during such Number of Lives, or for such Term or Terms of Years determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned or contained in the Lease or Leases so surrendered at the making

thereof respectively, or otherwise as the said Courts shall respectively direct.

Committees of Lunatics may in like Manner surrender Leases, and renew the same, &c.

XIII. And be it further enacted, That in all Cases where any Person, being lunatic, shall become entitled to any Lease or Leases made or granted or to be made or granted for the Life or Lives of One or more Person or Persons, or for any Term of Years, either absolute or determinable upon the Death of One or more Person or Persons, or otherwise, it shall be lawful for the Committee of the Estate of such Person to apply to the Lord Chancellor of *Great Britain*, being intrusted by virtue of the King's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, by Petition or Motion in a summary Way; and by the Order and Direction of the said Lord Chancellor, intrusted as aforesaid, such Committee shall and may be enabled from Time to Time, by Deed or Deeds, in the Place of such Lunatic, to surrender such Lease or Leases, and accept and take, in the Name and for the Benefit of such Lunatic, One or more new Lease or Leases of the Premises comprised in such Lease or Leases surrendered by virtue of this Act, for and during such Number of Lives, or for such Term or Terms of Years, absolute or determinable as aforesaid, as was or were mentioned or contained in the Lease or Leases so surrendered at the making thereof respectively, or otherwise, as the said Lord Chancellor, intrusted as aforesaid, shall direct.

Charges attending Renewal to be charged on the Estates as the Court shall direct.

XIV. And be it further enacted, That every Sum of Money and other Consideration paid by any Guardian, Trustee, Committee, or other Person as a Fine, Premium, or Income, or in the Nature of a Fine, Premium, or Income, for the Renewal of any such Lease, and all reasonable Charges incident thereto, shall be paid out of the Estate or Effects of the Infant or Lunatic for whose Benefit the Lease shall be renewed, or shall be a Charge upon the Leasehold Premises, together with Interest for the same, as the said Courts and Lord Chancellor, intrusted as aforesaid, respectively shall direct and determine; and as to Leases to be made upon Surrenders by Femes Covert, unless the Fine or Consideration of such Lease and the reasonable Charges shall be otherwise paid or secured, the same, together with Interest, shall be a Charge upon such Leasehold Premises, for the Benefit of the Person who shall advance the same.

New Leases shall be to the same Uses.

XV. And be it further enacted, That every Lease to be renewed as aforesaid shall operate and be to the same Uses, and be liable to the same Trusts, Charges, Incumbrances, Dispositions, Devices, and Conditions, as the Lease to be from Time to Time surrendered as aforesaid was or would have been subject to in case such Surrender had not been made.

Infants empowered to grant Renewals of Leases.

XVI. And be it further enacted, That where any Person, being under the Age of Twenty-one Years, or a Feme Covert, might, in pursuance of any Covenant or Agreement, if not under Disability, be compelled to renew any Lease made or to be made for the Life or Lives of One or more Person or Persons, or for any Term or Number of

of Years absolute or determinable on the Death of One or more Person or Persons, it shall be lawful to and for such Infant, or his Guardian in the Name of such Infant, or such Feme Covert, by the Direction of the Court of Chancery, to be signified by an Order to be made in a summary Way upon the Petition of such Infant or his Guardian, or of such Feme Covert, or of any Person entitled to such Renewal, from Time to Time to accept of a Surrender of such Lease, and to make and execute a new Lease of the Premises comprised in such Lease, for and during such Number of Lives, or for such Term or Terms determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned in the Lease so surrendered at the making thereof, or otherwise, as the Court by such Order shall direct.

Court of Chancery may authorize Leases to be made of Lands belonging to Infants when it is to the Benefit of the Estate.

XVII. And be it further enacted, That where any Person, being an Infant under the Age of Twenty-one Years, is or shall be seised or possessed of or entitled to any Land in Fee or in Tail, or to any Leasehold Land for an absolute Interest, and it shall appear to the Court of Chancery to be for the Benefit of such Person that a Lease or Under-lease should be made of such Estates for Terms of Years, for encouraging the Erection of Buildings thereon, or for repairing Buildings actually being thereon, or the working of Mines, or otherwise improving the same, or for Farming or other Purposes, it shall be lawful for such Infant, or his Guardian in the Name of such Infant, by the Direction of the Court of Chancery, to be signified by an Order to be made in a summary Way upon the Petition of such Infant or his Guardian, to make such Lease of the Land of such Persons respectively, or any Part thereof, according to his or her Interest therein respectively, and to the Nature of the Tenure of such Estates respectively, for such Term or Terms of Years, and subject to such Rents and Covenants as the said Court of Chancery shall direct; but in no such Case shall any Fine or Premium be taken, and in every such Case the best Rent that can be obtained, Regard being had to the Nature of the Lease, shall be reserved upon such Lease; and the Leases, and Covenants and Provisions therein, shall be settled and approved of by a Master of the said Court, and a Counterpart of every such Lease shall be executed by the Lessee or Lessees therein to be named, and such Counterparts shall be deposited for safe Custody in the Master's Office until such Infant shall attain Twenty-one, but with Liberty to proper Parties to have the Use thereof, if required, in the meantime, for the Purpose of enforcing any of the Covenants therein contained; provided that no Lease be made of the Capital Mansion House and the Park and Grounds respectively held therewith for any Period exceeding the Minority of any such Infant.

If Persons bound to renew are out of the Jurisdiction of the Court, the Renewals may be made by a Person

XVIII. And be it enacted, That where any Person who, in pursuance of any Covenant or Agreement in Writing, might, if within the Jurisdiction and amenable to the Process of the Court of Chancery, be compelled to execute any Lease by way of Renewal, shall not be within the Jurisdiction or not amenable to the Process of the said Court, it shall be lawful to and for the said Court of Chancery, by an Order to be made upon the Petition of any Person or any of the Persons

Persons entitled to such Renewal, (whether such Person be or be not under any Disability,) to direct such Person as the said Court shall think proper to appoint for that Purpose, to accept a Surrender of the subsisting Lease, and make and execute a new Lease in the Name of the Person who ought to have renewed the same; and such Deed, executed by the Person to be appointed as aforesaid, shall be as valid as if the Person in whose Name the same shall be made had executed the same, and had been alive and not under any Disability; but in every such Case it shall be in the Discretion of the said Court of Chancery, if under the Circumstances it shall seem requisite, to direct a Bill to be filed to establish the Right of the Party seeking the Renewal, and not to make the Order for such new Lease unless by the Decree to be made in such Cause, or until after such Decree shall have been made.

appointed by the Court of Chancery, in the Name of the Person who ought to have renewed.

XIX. And be it further enacted, That where any Person, being lunatic, is or shall be entitled or has a Right, or in pursuance of any Covenant or Agreement might, if not under Disability, be compelled to renew any Lease made or to be made for the Life or Lives of One or more Person or Persons, or for any Term or Number of Years absolute or determinable on the Death of One or more Person or Persons, or otherwise, it shall be lawful to and for the Committee of the Estate of such Lunatic, in the Name of such Lunatic, by the Direction of the Lord Chancellor, intrusted as aforesaid, to be signified by an Order to be made in a summary Way upon the Petition of such Committee, or of any Person entitled to such Renewal, from Time to Time to accept of a Surrender of such Lease, and to make and execute to any Person a new Lease of the Premises comprised in such Lease to be surrendered by virtue of this Act, for and during such Number of Lives, or for such Term or Terms of Years determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as were mentioned or contained in such Lease so surrendered at the making thereof, or otherwise, as the Lord Chancellor, intrusted as aforesaid, by such Order shall direct; and this Provision shall extend as well to Cases where the Lunatic shall not be compellable to renew; but it shall be for his Benefit to do so as to Cases where a Renewal might be effectually enforced against the Lunatic if of sound Mind.

Committees of Lunatics, by the Direction of the Lord Chancellor, may accept of Surrenders, and make new Leases.

XX. Provided always, and be it further enacted, That no renewed Lease shall be executed by virtue of this Act, in pursuance of any Covenant or Agreement, unless the Fine (if any), or such other Sum or Sums of Money (if any), as ought to be paid on such Renewal, and such Things (if any) as ought to be performed in pursuance of such Covenant or Agreement by the Lessee or Tenant, be first paid and performed; and Counterparts of every renewed Lease to be executed by virtue of this Act shall be duly executed by the Lessee.

Fines to be paid before Renewals, and Counterparts are executed.

XXI. And be it further enacted, That all Fines, Premiums, and Sums of Money, which shall be had, received, or paid for or on account of the Renewal of any Lease, after a Deduction of all necessary incidental Charges and Expences, shall be paid, if such

Premiums how to be paid.

Renewal shall be made by or in the Name of an Infant, to his Guardian, and be applied and disposed of for the Benefit of such Infant, in such Manner as the said Court shall direct; if such Renewal shall be made by a Feme Covert, to such Person or in such Manner as the Court shall direct for her Benefit; if such Renewal shall be made in the Name of any Person out of Jurisdiction or not amenable as aforesaid, to such Person or in such Manner, or into the Court of Chancery to such Account, and to be applied and disposed of as the said Court shall direct; and if such Renewal should be made in the Name of a Lunatic, to the Committee of the Estate of such Lunatic, and be applied and disposed of for the Benefit of such Lunatic, in such Manner as the Lord Chancellor, intrusted as aforesaid, shall direct; but upon the Death of such Lunatic, all such Sum and Sums of Money as shall arise by such Fines or Premiums, or so much thereof as shall remain unapplied for the Benefit of such Lunatic at his Death, shall, as between the Representatives of the Real and Personal Estates of such Lunatic, be considered as Real Estate, unless such Lunatic shall be Tenant for Life only, and then the same shall be considered as Personal Estate.

On Death of Lunatic, Moneyarising by such Fines to be considered Real Estate.

The Irish Act, 11 Ann. c. 3. continued unaltered.

XXII. And whereas by the said Act passed in the Parliament of *Ireland* in the Eleventh Year of the Reign of Queen *Anne*, after reciting that several Persons had theretofore made and thereafter might make Leases for One or more Life or Lives, of several Lands, Tenements, and Hereditaments in the said then Kingdom of *Ireland*, with Covenants and Agreements in such Leases for renewing the same from Time to Time on the Tender and Payment of some Fine, certain on the Death of any Life or Lives in such Lease or Leases mentioned, by adding such One or more Life or Lives, on Failure of the Life or Lives in being within the respective Times in such Agreements and Covenants mentioned, as the several Lessee or Lessees in such Lease or Leases should nominate; and also reciting, that through one Pretence or other, on the Fall or Failure of any Life or Lives in being, the Lessee or Lessees were greatly delayed before he or they could obtain any Renewal according to the Covenants and Agreements in their Leases, to their very great Discouragement; for Remedy whereof it was enacted, that if it should so happen that any Person or Persons who, in pursuance of such Agreements for Renewal in such Leases contained or to be contained, ought to make such new Lease or Leases as had been or should be agreed to be made, should be under any Disability so to do, by reason of Infancy, Coverture, or *non compos Mentis*, that then and in every such Case, (that is to say,) in case of Disability by reason of Infancy or being under Age, by the Direction of the High Court of Chancery or the Court of Exchequer, signified by an Order made upon hearing all Parties concerned on the Petition of such Lessee or Lessees, it should and might be lawful to and for the Guardian or Guardians of such Infant or Person under Age, upon such Lessee or Lessees tendering the Fine or Fines agreed on in such Lease, and performing all such Matters and Things as by the said Covenants and Agreements ought to be performed on his or their Part and Behalf previous to such Renewal, in such Manner as should by such

Order be directed, to renew such Lease or Leases by adding such new Life or Lives as should be named by the said Lessee or Lessees according to the said Covenants and Agreements, and such Guardian or Guardians were thereby required to renew such Lease or Leases by putting in such new Life or Lives as should be so named unto them as aforesaid, while the Infant or Minor of such Guardian or Guardians should be under such Disability of Infancy or under Age; and it was further enacted, that in all Cases where the Person or Persons who by Covenant or Agreement were obliged to make such Renewals were or should be disabled to renew by reason of being under Coverture, beyond the Seas, or *non compos Mentis*, it should and might be lawful to and for the Lord Chancellor or Commissioner or Commissioners of the Great Seal of the said then Kingdom of *Ireland* for the Time being, upon Petition or Complaint made to him or them in the High Court of Chancery, upon Payment of the Fine and such other Sum or Sums of Money as ought to be paid upon such Renewal for the Use of the Person or Persons entitled to the same, and upon the Lessee or Lessees doing and performing all and every such Matters and Things as by the said Covenants or Agreements in the said Lease or Leases ought to be done or performed by him or them previous to such Renewal, to order or appoint such Renewal or Renewals to be made by one of the Masters of the said Court of Chancery, to be nominated and appointed by the said Lord Chancellor or Commissioner or Commissioners of the Great Seal for the Time being; and such Master so nominated and appointed, and also such Guardian and Guardians as aforesaid, should make and execute such Deed of Renewal in the Name of the Person or Persons who ought to have renewed the same; which Deed or Deeds of Renewal so made and executed by the said Guardian or Guardians, Master or Masters, Counterparts thereof being duly perfected by the Lessee or Lessees for the Use and Benefit of the Person or Persons having the Reversion and Inheritance of such Lands, Tenements, or Hereditaments comprised in such Deed or Deeds, should be as good and effectual in Law and Equity, to all Intents and Purposes, as if the Person or Persons under Age had been of full Age and had executed the same, or as if the other Person or Persons under such Disability had not been so disabled and had executed the same; provided such Person or Persons under Age or under such Disability as aforesaid were at the Time of the Renewal of such Lease compellable in Law or Equity to make such Renewal: And whereas it is expedient that the Provisions of the said recited Act, which have been so long in force in *Ireland*, should remain unaltered; be it therefore further enacted, That the Clauses and Provisions contained in the said Act shall be and continue in force in the same Manner to all Intents and Purposes as if the said Clauses and Provisions, and every Part thereof, had been repeated and re-enacted in this Act; and none of the other Provisions in this Act contained for authorizing any Surrenders to be accepted, or any new Lease to be made or executed, for or on the Behalf of any Person who, in pursuance of any Covenant or Agreement for Renewal in any Lease contained or to be contained, ought to make such new Lease or Leases, shall extend or be construed to Land in *Ireland*.

XXIII. And

The Power of leasing Lands, &c. of Lunatics having a limited Estate may be executed by the Committee.

XXIII. And be it further enacted, That where any Person, being lunatic, is or shall be seised or possessed of any Land, either for Life or for some other Estate, with Power of granting Leases and taking Fines, reserving small Rents on such Leases, for One, Two, or Three Lives in Possession or Reversion, or for some Number of Years determinable upon Lives, or for any Term of Years absolutely, such Power of leasing which is or shall be vested in such Person, being lunatic and having a limited Estate only, shall and may be executed by the Committee of the Estate of such Person, under the Direction and Order of the Lord Chancellor, intrusted as aforesaid.

Where Lunatics are seised of Estates in Fee or in Tail, or an absolute Interest in Leasehold Estates, the Chancellor may direct Leases to be made.

XXIV. And be it further enacted, That where any Person, being lunatic, is or shall be seised or possessed of or entitled to any Land in Fee or in Tail, or to any Leasehold Land for an absolute Interest, and it shall appear to the Lord Chancellor, intrusted as aforesaid, to be for the Benefit of such Person that a Lease or Under-lease should be made of such Estates for Terms of Years, for encouraging the Erection of Buildings therein, or for repairing Buildings actually being thereon, or otherwise improving the same, or for Farming or other Purposes, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to order and direct the Committee of the Estate of such Lunatic to make such Lease of the Land of such Persons respectively, or any Part thereof, according to his or her Interest therein respectively, and to the Nature of the Tenure of such Estates respectively, for such Term or Terms of Years, and subject to such Rents and Covenants, as the Lord Chancellor, intrusted as aforesaid, shall direct.

So much of 1 G. 1. c. 10. s. 9. as enacts that Agreements of Guardians shall bind Infants, repealed.

XXV. And whereas by an Act passed in the First Year of the Reign of King *George* the First, intituled *An Act for making more effectual Her late Majesty's gracious Intentions for augmenting the Maintenance of the Poor Clergy*, it was enacted, that the Agreements of Guardians for and on behalf of Infants or Idiots under their Guardianship should be as good and effectual to all Intents and Purposes as if the said Infants or Idiots had been of full Age and of sound Mind, and had themselves entered into such Agreements: And whereas it is desirable that the said Powers should be exercised under proper Controul, and that the same should be extended to all Persons against whom a Commission of Lunacy shall have issued; be it further enacted, That so much of the said Act of the First Year of the Reign of King *George* the First, as is hereinbefore recited, shall be and the same is hereby repealed.

Such Agreements may be made by Guardians, with the Approbation of the Court, and by Committees with the Approbation of the Lord Chancellor.

XXVI. And be it further enacted, That the Guardian of any Infant, with the Approbation of the Court of Chancery, to be signified by an Order to be made on the Petition of such Guardian in a summary Way, may enter into any Agreement for or on behalf of such Infant which such Guardian might have entered into by virtue of the said last-recited Act, if the same had not been repealed; and the Committee of the Estate of any Lunatic, with the Approbation of the Lord Chancellor, intrusted as aforesaid, to be signified by an Order to be made in the Petition of such Committee in a summary Way, may enter into any Agreement for or on the Behalf of such Lunatic

Lunatic which the Guardian of an Infant might have entered into for or on the Behalf of such Infant by virtue of the said last-recited Act, if the same had not been repealed.

Committee of Lunatics, by Direction of the Lord Chancellor, may convey Land in Performance of Contracts.

XXVII. And be it further enacted, That when any Person who shall have contracted to sell, mortgage, let, divide, exchange, or otherwise dispose of any Land, shall afterwards become lunatic, and a specific Performance of such Contract, either wholly or so far as the same shall remain to be performed, shall have been decreed by the Court of Chancery, either before or after such Lunacy, it shall be lawful for the Committee of the Estate of such Lunatic, in the Place of such Lunatic, by the Direction of the Lord Chancellor, intrusted as aforesaid, to be signified by an Order to be made on the Petition of the Plaintiff or any of the Plaintiffs in such Suit, to convey such Land, in pursuance of such Decree, to such Person and in such Manner as the said Lord Chancellor, intrusted as aforesaid, shall direct; and the Purchase Money, or so much thereof as remains unpaid, shall be paid to the Committee of such Lunatic.

The Lord Chancellor may order the Estates of Lunatics to be sold or charged by Mortgage for raising Money for the Payment of Debts, &c.

XXVIII. And be it further enacted, That it shall be lawful for the Lord Chancellor, intrusted as aforesaid, to order any Land, of or to which any Person being lunatic shall be seised or possessed or entitled, to be sold, or charged and incumbered by way of Mortgage, or otherwise disposed of, as shall be deemed most expedient for the Purpose of raising Money for Payment of the Debts or Engagements of such Lunatic, the Discharge of any Incumbrances on his Estates, the Costs of applying for and obtaining the Commission of Lunacy and in opposition thereto, and all Proceedings under the said Commission, and the Costs of such Sales, Mortgages, Charges, and Incumbrances, and other Dispositions, or for any of such Purposes as aforesaid, as such Lord Chancellor, intrusted as aforesaid, shall respectively direct; and that the Monies arising from any such Sale, Mortgage, Charge, Incumbrance, or other Disposition, may be paid, laid out, and applied in Payment of the Debts and Engagements of such Lunatic, the Discharge of any Incumbrances on his Estates, the Costs of applying for and obtaining the Commission of Lunacy and in opposition thereto, and all Proceedings under the same Commission, or incurred under the Order of such Lord Chancellor, intrusted as aforesaid, and the Costs of such Sales, Mortgages, Charges, and Incumbrances, and other Dispositions, in such Manner as the said Lord Chancellor, intrusted as aforesaid, shall direct; and to direct the Committee of the Estate of such Person to execute, in the Place of such Person respectively, Conveyances of the Estates so to be sold, mortgaged, incumbered, or disposed of, and to do all such Acts as shall be necessary to effectuate the same, in such Manner as such Lord Chancellor, intrusted as aforesaid, shall direct.

Surplus of Monies to be of the same Nature as the Estate.

XXIX. Provided always, and be it further enacted, That on any Sale, Mortgage, Charge, Incumbrance, or other Disposition which shall be made in pursuance of this Act, the Person whose Estate shall be sold, mortgaged, charged, incumbered, or otherwise disposed of, and his or her Heirs, next of Kin, Devisees, Legatees, Executors, Administrators, and Assigns, shall have such and the like Interest in

the Surplus which shall remain, after answering the Purposes aforesaid, of the Money raised by such Sale, Mortgage, Charge, Incumbrance, or other Disposition, as he, she, or they would have had in the Estate by the Sale, Mortgage, Charge, Incumbrance, or other Disposition of which such Monies shall be raised, if no such Sale, Mortgage, Charge, Incumbrance, or other Disposition had been made; and such Monies shall be of the same Nature and Character as the Estate so sold, mortgaged, charged, incumbered, or disposed of; and it shall be lawful for the said Lord Chancellor, intrusted as aforesaid, to make such Orders, and to direct such Acts and Deeds to be done and executed, as shall be necessary for carrying the aforesaid Objects into effect, and for the due Application of such Surplus Monies.

Act shall not subject Estates of Lunatics to Debts otherwise than they are now subject.

XXX. Provided nevertheless, and be it enacted, That nothing in this Act contained shall extend to subject any Part of the Estates of any Person, being lunatic, to the Debts or Demands of his Creditors, otherwise than as the same are now subject and liable by due Course of Law, but only to authorize the Lord Chancellor, intrusted as aforesaid, to make Order in such Cases as are herein-before mentioned, when the same shall be deemed just and reasonable, or for the Benefit or Advantage of such Lunatic.

Surrender and Leases deemed valid.

XXXI. And be it further enacted, That every Surrender and Lease, Agreement, Conveyance, Mortgage, or other Disposition respectively, granted and accepted, executed and made, by virtue of this Act, shall be and be deemed as valid and legal to all Intents and Purposes as if the Person by whom, or in whose Place, or on whose Behalf the same respectively shall be granted or accepted, executed and made, had been of full Age, unmarried, or of sane Mind, and had granted, accepted, made, and executed the same; and every such Surrender and Lease respectively made and accepted by or on the Behalf of a Feme Covert shall be valid, without any Fine being levied by her.

Court of Chancery or Exchequer may order Dividends of Stock belonging to Infants to be applied for Maintenance.

XXXII. And be it further enacted, That it shall be lawful for the Court of Chancery, by an Order to be made on the Petition of the Guardian of any Infant in whose Name any Stock shall be standing, or any Sum of Money, by virtue of any Act for paying off any Stock, and who shall be beneficially entitled thereto, or if there shall be no Guardian, by an Order to be made in any Cause depending in the said Court, to direct all or any Part of the Dividends due or to become due in respect of such Stocks, or any such Sum of Money, to be paid to any Guardian of such Infant, or to any other Person, according to the Discretion of such Court, for the Maintenance and Education or otherwise for the Benefit of such Infant, such Guardian or other Person to whom such Payment shall be directed to be made being named in the Order directing such Payment; and the Receipt of such Guardian or other Person for such Dividends or Sum of Money, or any Part thereof, shall be as effectual as if such Infant had attained the Age of Twenty-one Years, and had signed and given the same.

XXXIII. And

XXXIII. And be it further enacted, That where any Stock shall be standing in the Name of or shall be vested in any Person being lunatic, who shall be beneficially entitled thereto, or shall be standing in the Name of or vested in any Person being Committee of the Estate of a Person found lunatic, in Trust for or as Part of his Property, and such Committee shall have died intestate or shall himself become lunatic, or shall be out of the Jurisdiction of or not amenable to the Process of the Court of Chancery, or it shall be uncertain whether such Committee be living or dead, or such Committee shall neglect or refuse to transfer such Stock, and to receive and pay over the Dividends thereof to a new Committee, or as he shall direct, for the Space of Fourteen Days next after a Request in Writing for that Purpose shall have been made by any new Committee, then and in every or any such Case it shall be lawful for the Lord Chancellor, intrusted as aforesaid, upon the Petition of the Committee of the Estates of the Person being lunatic, or of the Person reported by the Master to whom the Matter is referred as a proper Person to be such Committee, although such Report shall not have been confirmed, to direct such Person as such Lord Chancellor shall think proper to appoint for that Purpose to transfer such Stock to or into the Name of any new Committee or in the Name of the Accountant General of the said Court, or otherwise, and also to receive and pay over the Dividends thereof, or such Sum or Sums of Money, in such Manner as such Lord Chancellor shall think proper; and such Transfers and Payments shall be valid and effectual to all Intents and Purposes whatsoever.

Stock belonging to Lunatics may be ordered by the Lord Chancellor to be transferred.

XXXIV. And be it further enacted, That where any Stock shall be standing in the Name of or vested in any Person residing out of *England*, it shall be lawful for the Lord Chancellor, intrusted as aforesaid, upon Petition, and Proof being made to his or their Satisfaction that such Person has been declared lunatic, and that his Personal Estate has been vested in a Curator or other Person appointed for the Management thereof, according to the Laws of the Place where such Person shall reside, to direct any Person whom such Lord Chancellor shall think proper to appoint for that Purpose to transfer such Stock, or any Part or Parts thereof, into the Name of any such Curator or other such Person as aforesaid, or otherwise, and also to receive and pay over the Dividends thereof, as such Lord Chancellor shall think fit; and that such Transfers and Payments shall be valid and effectual to all Intents and Purposes whatsoever.

Where Stock shall be standing in the Names of Lunatics residing out of England, the Lord Chancellor may direct the Transfer.

XXXV. And be it further enacted, That the Court of Chancery or Lord Chancellor, intrusted as aforesaid, may order the Costs and Expences of and relating to the Petitions, Orders, Directions, Conveyances, and Transfers to be made in pursuance of this Act, or any of them, to be paid and raised out of or from the Lands or Stock or the Rents or Dividends in respect of which the same respectively shall be made, in such Manner as the said Court or Lord Chancellor shall think proper.

Costs may be directed to be paid.

XXXVI. And

Powers given to the Court of Chancery in England;

XXXVI. And be it further enacted, That the Powers and Authorities given by this Act to the Court of Chancery in *England* shall extend to all Land and Stock within any of the Dominions, Plantations, and Colonies belonging to His Majesty, except *Scotland*.

which may be exercised by the Court of Exchequer.

XXXVII. And be it further enacted, That the Powers and Authorities given by this Act to the Court of Chancery shall and may be exercised in like Manner by, and are hereby given to, the Court of Exchequer.

Powers given to Courts may be exercised in England and Ireland.

XXXVIII. And be it further enacted, That the Powers and Authorities given by this Act to the Courts of Chancery and Exchequer in *England* shall and may be exercised in like Manner, and are hereby given to the Courts of Chancery and Exchequer in *Ireland*, with respect to Land and Stock in *Ireland*.

Power to the Lord Chancellor of Great Britain;

XXXIX. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall extend to all Land and Stock wheresoever, within any of the Dominions, Plantations, and Colonies belonging to His Majesty (except *Scotland* and *Ireland*).

which may be exercised by Lord Chancellor of Ireland.

XL. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall and may be exercised in like Manner by, and are hereby given to, the Lord Chancellor of *Ireland*, intrusted as aforesaid, with respect to all Land and Stock in *Ireland*, but not further or otherwise.

Inquisitions on Commissions under the Great Seal of Great Britain to be transmitted and entered of Record in Ireland, and acted on there, and vice versâ.

XLI. And whereas it is desirable that in some Cases Inquisitions taken in *England* on a Commission in the Nature of a Writ De lunatico inquirendo, and Writs of Supersedeas of any such Commission, should be acted upon in *Ireland* in the same Manner as the same may be acted upon in *England*, and for that Purpose shall be placed on Record in *Ireland*; and that Inquisitions on a like Commission executed in *Ireland*, and Writs of Supersedeas of any such Commission, shall be acted on in *England*, and for that Purpose shall be placed on Record there; be it therefore enacted, That in all Cases where any Person has been or shall be found lunatic or of unsound Mind, and incapable of managing his or her Affairs, by any Inquisition on a Commission in the Nature of a Writ De lunatico inquirendo under the Great Seal of *Great Britain*, it shall be lawful for the proper Officer, by Order of the Lord Chancellor of *Great Britain*, intrusted as aforesaid, to transmit a Transcript of the Record of such Inquisition to the Chancery of *Ireland*, and such Transcript shall thereupon be entered of Record and be as of Record there; and in case a Writ of Supersedeas of any such Commission shall issue, the Issue of such Writ shall be certified and transmitted and recorded in like Manner, and the Copies of the Record of any such Inquisition or Supersedeas so transmitted and entered as of Record in the Chancery of *Ireland* shall, if the Lord Chancellor of *Ireland*,

intrusted as aforesaid, shall see fit, and so long only as he or they shall so see fit, be acted upon by him or them respectively, and be of the same Force and Validity and have the same Effect to all Intents and Purposes in *Ireland*, as if such Inquisition had been taken on a Commission under the Great Seal of *Ireland*, and such Writ of Supersedeas had been issued under the Great Seal of *Ireland*; and that in all Cases where any Person has been or shall be found lunatic or of unsound Mind, and incapable of managing his or her Affairs, by any Inquisition on a Commission in the Nature of a Writ De lunatico inquirendo under the Great Seal of *Ireland*, it shall be lawful for the proper Officer, by Order of the Lord Chancellor of *Ireland*, intrusted as aforesaid, to transmit a Transcript thereof in like Manner to the Chancery of *England*, and such Transcript shall thereupon be entered as of Record there; and in case a Writ of Supersedeas of any such Commission shall issue, a Transcript thereof shall be certified and transmitted to the Chancery of *England*, and recorded in like Manner; and such Entry of Record of any such Inquisition or Supersedeas shall, if the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall see fit, and so long as he or they shall so see fit, be acted upon by him or them respectively, and be of the same Force and Validity, and have the same Force and Effect, as if such Inquisition had been taken on a Commission under the Great Seal of *Great Britain*, and such Writ of Supersedeas had been issued under the Great Seal of *Great Britain*.

Powers given to the Lord Chancellor to extend to the Lord Keeper and Commissioners.

XLII. And be it further enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall and may be exercised in like Manner by, and are hereby given to, the Lord Keeper or Commissioners of the Great Seal of *Great Britain* for the Time being, intrusted as aforesaid; and the Powers and Authorities given by this Act to the Lord Chancellor of *Ireland*, intrusted as aforesaid, shall and may be exercised in like Manner by, and are hereby given to, the Lord Keeper or Commissioners of the Great Seal of *Ireland* for the Time being, intrusted as aforesaid.

Who shall be named in the Orders of the Court for making Transfers.

XLIII. Provided always, and be it further enacted, That in all Cases in which Orders shall be made in pursuance of this Act for the Transfer of Stock, the Person to be named in such Order for making such Transfer shall be some Officer of such Company or Society in whose Books such Transfer shall be made; and where such Transfer shall be directed to be made in Books kept by the Governor and Company of the Bank of *England*, such Officer shall be the Secretary or Deputy Secretary, or Accountant General or Deputy Accountant General, for the Time being of the said Governor and Company.

Act to be an Indemnity to the Bank and other Companies.

XLIV. And be it further enacted, That this Act shall be and is hereby declared to be a full and complete Indemnity and Discharge to the Governor and Company of the Bank of *England*, and all other Companies and Societies, and their Officers and Servants, for all

all Acts and Things done or permitted to be done pursuant thereto; and that such Acts and Things shall not be questioned or impeached in any Court of Law or Equity to their Prejudice or Detriment.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXVI.

An Act for reducing into One Act all such Forgeries as shall henceforth be punished with Death, and for otherwise amending the Laws relative to Forgery. [23d *July* 1830.]

WHEREAS several Offences relating to forged Writings, and to other forged and counterfeit Matters, and to false Personation, false Oaths, false Entries, and other false Matters, are now by virtue of several Statutes punishable with Death: And whereas it is expedient that none of those Offences shall hereafter be punishable with Death, unless the same shall be made punishable with Death by this Act; and also that the Statutes concerning such of those Offences, whether punishable with Death or otherwise, as may more frequently or seriously affect the Interests of His Majesty or His Subjects, should be amended, and consolidated into this Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That where by any Acts now in force any Person falsely making, forging, counterfeiting, erasing, or altering any Matter whatsoever, or uttering, publishing, offering, disposing of, putting away, or making use of any Matter whatsoever, knowing the same to be falsely made, forged, counterfeited, erased, or altered, or any Person demanding or endeavouring to receive or have any Thing, or to do or cause to be done any Act, upon or by virtue of any Matter whatsoever, knowing such Matter

No Forgeries, or other kindred Offences, which are now capital, shall continue so, unless expressly made capital by this Act.

to be falsely made, forged, counterfeited, erased, or altered, would, according to the Provisions contained in any of the said Acts, be guilty of Felony, and liable to suffer Death as a Felon; or where by any Acts now in force any Person falsely personating another, or falsely acknowledging any Thing in the Name of another, or falsely representing any other Person than the real Party to be such real Party, or wilfully making a false Entry in any Book, Account, or Document, or in any Manner wilfully falsifying any Part of any Book, Account, or Document, or wilfully making a Transfer of any Stock, Annuity, or Fund in the Name of any Person not being the Owner thereof, or knowingly taking a false Oath, or knowingly making a false Affidavit or false Affirmation, or demanding or receiving any Money or other Thing by virtue of any Probate or Letters of Administration, knowing the Will on which such Probate shall have been obtained to have been false or forged, or knowing such Probate or Letters of Administration to have been obtained by means of any false Oath or false Affirmation, would, according to the Provisions contained in any of the said Acts, be guilty of Felony, and liable to suffer Death as a Felon; or where by any Acts now in force any Person making or using, or knowingly having in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper, with certain Words visible in the Substance thereof, or any Person making such Paper, or causing certain Words to appear visible in the Substance of any Paper, would, according to the Provisions contained in any of the said Acts, be guilty of Felony, and liable to suffer Death as a Felon; then, and in each of the several Cases aforesaid, if any Person shall, after the Commencement of this Act, be convicted of any such Felony as is herein-before mentioned, or of aiding, abetting, counselling, or procuring the Commission thereof, such Person shall not suffer Death for the same, unless the same shall be made punishable with Death by this Act; and if the same shall not be made punishable with Death by this Act, in such Case every Person who shall, after the Commencement of this Act, be convicted of any such Felony, or of aiding, abetting, counselling, or procuring the Commission thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years: Provided always, that nothing herein contained shall affect or alter any Acts relating to the Coin of this Realm, or to any Coin of any other Realm lawfully current within this Realm.

All Forgeries heretofore capital, and not declared so by this Act, shall be punished with Transportation.

Saving of Acts relating to Coin.

Forging the Great Seal, Privy Seal, Privy Signet, Royal Sign Manual, &c. Treason, and capital.

II. And be it enacted, That if any Person shall forge or counterfeit, or shall utter knowing the same to be forged or counterfeited, the Great Seal of the United Kingdom, His Majesty's Privy Seal, any Privy Signet of His Majesty, His Majesty's Royal Sign Manual, any of His Majesty's Seals appointed by the Twenty-fourth Article of the Union to be kept, used, and continued in *Scotland*, the Great Seal of *Ireland*, or the Privy Seal of *Ireland*, every such Offender shall be guilty of High Treason, and shall suffer Death accordingly: Provided always, that nothing contained in an Act passed in the Seventh Year of the Reign of King *William* the Third, intituled *An Act for regulating of Trials in Cases of Treason and Misprision of Treason*, or in an Act passed in the Seventh Year of the Reign

of Queen *Anne*, intituled *An Act for improving the Union of the Two Kingdoms*, shall extend to any Indictment, or to any Proceedings thereupon, for any of the Treasons herein-before mentioned.

Forging an Exchequer Bill, Exchequer Debenture, East India Bond, Bank Note, Will, Bill of Exchange, Promissory Note, or Warrant or Order for Payment of Money, capital.

III. And be it enacted, That if any Person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Exchequer Bill or Exchequer Debenture, or any Indorsement on or Assignment of any Exchequer Bill or Exchequer Debenture, or any Bond under the Common Seal of the United Company of Merchants of *England* trading to the *East Indies*, commonly called an *East India* Bond, or any Indorsement on or Assignment of any *East India* Bond, or any Note or Bill of Exchange of the Governor and Company of the Bank of *England*, commonly called a Bank Note, a Bank Bill of Exchange, or a Bank Post Bill, or any Indorsement on or Assignment of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, or any Will, Testament, Codicil, or Testamentary Writing, or any Bill of Exchange or any Promissory Note for the Payment of Money, or any Indorsement on or Assignment of any Bill of Exchange or Promissory Note for the Payment of Money, or any Acceptance of any Bill of Exchange, or any Undertaking, Warrant, or Order for the Payment of Money, with Intent, in any of the Cases aforesaid, to defraud any Person whatsoever, every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

If any Instrument, however designated, is in Law a Bill of Exchange, &c. the Forger of such Instrument may be indicted under this Act.

IV. And be it declared and enacted, That where by any Act now in force any Person is made liable to the Punishment of Death for forging or altering, or for offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any Instrument or Writing designated in such Act by any special Name or Description, and such Instrument or Writing, however designated, is in Law a Will, Testament, Codicil, or Testamentary Writing, or a Bill of Exchange or a Promissory Note for the Payment of Money, or an Indorsement on or Assignment of a Bill of Exchange or Promissory Note for the Payment of Money, or an Acceptance of a Bill of Exchange, or an Undertaking, Warrant, or Order for the Payment of Money, within the true Intent and Meaning of this Act, in every such Case the Person forging or altering such Instrument or Writing, or offering, uttering, disposing of, or putting off such Instrument or Writing, knowing the same to be forged or altered, may be indicted as an Offender against this Act, and punished with Death accordingly.

Making false Entries in the Books in which the Accounts of Public Stock are kept; or Transfer of Public Stock in any other Name than the true Owner's; capital.

V. And be it enacted, That if any Person shall wilfully make any false Entry in, or wilfully alter any Word or Figure in, any of the Books of Account kept by the Governor and Company of the Bank of *England*, or by the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the Fishery, commonly called the *South Sea* Company, in which Books the Accounts of the Owners of any Stock, Annuities, or other Public Funds which now are or hereafter may be transferrable at the Bank of *England* or at the *South Sea* House shall be entered and kept, or shall in any Manner wilfully falsify the Accounts of such Owners in any of the said Books, with Intent

Intent in any of the Cases aforesaid to defraud any Person whatsoever; or if any Person shall wilfully make any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferrable at the Bank of *England* or at the *South Sea* House, in the Name of any Person not being the true and lawful Owner of such Share or Interest, with Intent to defraud any Person whatsoever; every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Forging a Transfer of any Public Stock or of certain other Stock; Power of Attorney to transfer the same, or to receive Dividends thereon; Transfer of Stock or Receipt of Dividends by false Personation; capital.

VI. And be it enacted, That if any Person shall forge or alter, or shall utter knowing the same to be forged or altered, any Transfer of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferrable at the Bank of *England* or at the *South Sea* House, or of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter or Act of Parliament, or shall forge or alter, or shall utter knowing the same to be forged or altered, any Power of Attorney or other Authority to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock as is herein-before mentioned, or to receive any Dividend payable in respect of any such Share or Interest, or shall demand or endeavour to have any such Share or Interest transferred, or to receive any Dividend payable in respect thereof, by virtue of any such forged or altered Power of Attorney or other Authority, knowing the same to be forged or altered, with Intent in any of the several Cases aforesaid to defraud any Person whatsoever; or if any Person shall falsely and deceitfully personate any Owner of any such Share, Interest or Dividend as aforesaid, and thereby transfer any Share or Interest belonging to such Owner, or thereby receive any Money due to such Owner as if such Person were the true and lawful Owner; every such Offender shall be guilty of Felony, and, being convicted thereof, shall suffer Death as a Felon.

Personating the Owner of any Public Stock or certain other Stock, and endeavouring to transfer or to receive the Dividends; Transportation for Life, &c.

VII. And be it enacted, That if any Person shall falsely and deceitfully personate any Owner of any Share or Interest of or in any Stock, Annuity, or other Public Fund which now is or hereafter may be transferrable at the Bank of *England* or at the *South Sea* House, or any Owner of any Share or Interest of or in the Capital Stock of any Body Corporate, Company, or Society which now is or hereafter may be established by Charter or Act of Parliament, or any Owner of any Dividend payable in respect of any such Share or Interest as aforesaid, and shall thereby endeavour to transfer any Share or Interest belonging to any such Owner, or thereby endeavour to receive any Money due to any such Owner as if such Offender were the true and lawful Owner, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Forging the Attestation to any Power of Attorney

VIII. And be it enacted, That if any Person shall forge the Name or Handwriting of any Person as or purporting to be a Witness attesting the Execution of any Power of Attorney or other Authority to

to transfer any Share or Interest of or in any such Stock, Annuity, Public Fund, or Capital Stock as is herein-before mentioned, or to receive any Dividend payable in respect of any such Share or Interest, or shall utter any such Power of Attorney or other Authority, with the Name or Handwriting of any Person forged thereon as an attesting Witness, knowing the same to be forged, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years nor less than One Year.

for Transfer of Stock, &c., Transportation for Seven Years, &c.

IX. And be it enacted, That if any Clerk, Officer, or Servant of, or other Person employed or intrusted by, the Governor and Company of the Bank of *England*, or the Governor and Company of Merchants commonly called the *South Sea* Company, shall knowingly make out or deliver any Dividend Warrant for a greater or less Amount than the Person or Persons on whose Behalf such Dividend Warrant shall be made out is or are entitled to, with Intent to defraud any Person whatsoever, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years nor less than One Year.

Clerks of the Bank wilfully making out Dividend Warrants for a greater or less Sum than what is really due; Transportation for 7 Years, &c.

X. And be it enacted, That if any Person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Deed, Bond, or Writing Obligatory, or any Court Roll or Copy of any Court Roll relating to any Copyhold or Customary Estate, or any Acquittance or Receipt either for Money or Goods, or any accountable Receipt either for Money or Goods, or for any Note, Bill, or other Security for Payment of Money, or any Warrant, Order, or Request for the Delivery or Transfer of Goods, or for the Delivery of any Note, Bill, or other Security for Payment of Money, with Intent to defraud any Person whatsoever, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years or less than Two Years.

Forging a Deed, Bond, Receipt for Money or Goods, or an accountable Receipt, or an Order for Delivery of Goods; Transportation for Life, &c.

XI. And be it enacted, That if any Person shall, before any Court, Judge, or other Person lawfully authorized to take any Recognizance or Bail, acknowledge any Recognizance or Bail in the Name of any other Person not privy or consenting to the same, whether such Recognizance or Bail in either Case be or be not filed; or if any Person shall, in the Name of any other Person not privy or consenting to the same, acknowledge any Fine, Recovery, Cognovit actionem, or Judgment, or any Deed to be enrolled; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Fraudulently acknowledging any Recognizance, Bail, Fine, Recovery, or Judgment, in the Name of another; Transportation for Life, &c.

Knowingly purchasing or receiving, or having in Possession, forged Bank Notes, Transportation for 14 Years.

XII. And be it enacted, That if any Person shall, without lawful Excuse, the Proof whereof shall lie upon the Party accused, purchase or receive from any other Person, or have in his Custody or Possession, any forged Bank Note, Bank Bill of Exchange, or Bank Post Bill, or Blank Bank Note, Blank Bank Bill of Exchange, or Blank Bank Post Bill, knowing the same respectively to be forged, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be transported beyond the Seas for the Term of Fourteen Years.

Making or having, without Authority, any Mould for making Paper with the Words "Bank of England" visible in the Substance, or for making Paper with curved Bar Lines, &c., or selling such Paper; Transportation for 14 Years.

XIII. And be it enacted, That if any Person shall, without the Authority of the Governor and Company of the Bank of *England*, to be proved by the Party accused, make or use, or shall, without lawful Excuse, to be proved by the Party accused, knowingly have in his Custody or Possession, any Frame, Mould, or Instrument for the making of Paper with the Words "Bank of *England*" visible in the Substance of the Paper, or for the making of Paper with curved or waving Bar Lines, or with the Laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount, expressed in a Word or Words in Roman Letters, visible in the Substance of the Paper; or if any Person shall, without such Authority, to be proved as aforesaid, manufacture, use, sell, expose to Sale, utter, or dispose of, or shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession, any Paper whatsoever with the Words "Bank of *England*" visible in the Substance of the Paper, or any Paper with curved or waving Bar Lines, or with the Laying Wire Lines thereof in a waving or curved Shape, or with any Number, Sum, or Amount, expressed in a Word or Words in Roman Letters, appearing visible in the Substance of the Paper; or if any Person, without such Authority, to be proved as aforesaid, shall, by any Art or Contrivance, cause the Words "Bank of *England*" to appear visible in the Substance of any Paper, or cause the Numerical Sum or Amount of any Bank Note, Bank Bill of Exchange, or Bank Post Bill, Blank Bank Note, Blank Bank Bill of Exchange, or Blank Bank Post Bill, in a Word or Words in Roman Letters, to appear visible in the Substance of the Paper whereon the same shall be written or printed; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be transported beyond the Seas for the Term of Fourteen Years.

Proviso as to Paper used for Bills of Exchange, &c.

XIV. Provided always, and be it enacted, That nothing herein contained shall prevent any Person from issuing any Bill of Exchange or Promissory Note having the Amount thereof expressed in Guineas, or in a Numerical Figure or Figures denoting the Amount thereof in Pounds Sterling appearing visible in the Substance of the Paper upon which the same shall be written or printed, nor shall prevent any Person from making, using, or selling any Paper having waving or curved Lines, or any other Devices in the Nature of Watermarks, visible in the Substance of the Paper, not being Bar Lines or Laying Wire Lines, provided the same are not so contrived as to form the Groundwork or Texture of the Paper, or to resemble the waving or curved Laying Wire Lines or Bar Lines or the Watermarks of the Paper used by the Governor and Company of the Bank of *England*.

XV. And

XV. And be it enacted, That if any Person shall engrave or in anywise make upon any Plate whatever, or upon any Wood, Stone, or other Material, any Promissory Note or Bill of Exchange, or Blank Promissory Note or Blank Bill of Exchange, or Part of a Promissory Note or Bill of Exchange, purporting to be a Bank Note, Bank Bill of Exchange, or Bank Post Bill, or Blank Bank Note, Blank Bank Bill of Exchange, or Blank Bank Post Bill, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, without the Authority of the Governor and Company of the Bank of *England*, to be proved by the Party accused; or if any Person shall use such Plate, Wood, Stone, or other Material, or any other Instrument or Device, for the making or printing any Bank Note, Bank Bill of Exchange, or Bank Post Bill, or Blank Bank Note, Blank Bank Bill of Exchange, or Blank Bank Post Bill, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, without such Authority, to be proved as aforesaid; or if any Person shall, without lawful Excuse, the Proof whereof shall lie on the Party accused, knowingly have in his Custody or Possession any such Plate, Wood, Stone, or other Material, or any such Instrument or Device; or if any Person shall, without such Authority, to be proved as aforesaid, knowingly offer, utter, dispose of, or put off any Paper upon which any Blank Bank Note, Blank Bank Bill of Exchange, or Blank Bank Post Bill, or Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, shall be made or printed; or if any Person shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession any such Paper; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be transported beyond the Seas for the Term of Fourteen Years.

Engraving on any Plate, &c. any Bank Note, Blank Bank Note, &c. or using or having such Plate, &c., or uttering or having Paper upon which a Blank Bank Note, &c. shall be printed, without Authority; Transportation for 14 Years.

XVI. And be it enacted, That if any Person shall engrave or in anywise make upon any Plate whatever, or upon any Wood, Stone, or other Material, any Word, Number, Figure, Character, or Ornament, the Impression taken from which shall resemble, or apparently be intended to resemble, any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, without the Authority of the Governor and Company of the Bank of *England*, to be proved by the Party accused; or if any Person shall use any such Plate, Wood, Stone, or other Material, or any other Instrument or Device, for the making upon any Paper or other Material the Impression of any Word, Number, Figure, Character, or Ornament which shall resemble, or apparently be intended to resemble, any Part of a Bank Note, Bank Bill of Exchange, or Bank Post Bill, without such Authority, to be proved as aforesaid; or if any Person shall, without lawful Excuse, the Proof whereof shall lie on the Party accused, knowingly have in his Custody or Possession any such Plate, Wood, Stone, or other Material, or any such Instrument or Device; or if any Person shall, without such Authority, to be proved as aforesaid, knowingly offer, utter, dispose of, or put off any Paper or other Material upon which there shall be an Impression of any such Matter as aforesaid; or if any Person shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession any Paper or other Material upon which there shall be an Impression of any such Matter as aforesaid; every such Offender shall be guilty of

Engraving on any Plate, &c. any Word, Number, or Ornament resembling any Part of a Bank Note, &c., or using or having any such Plate, &c., or uttering or having any Paper on which there shall be an Impression of any Word, Number, &c.; Transportation for 14 Years.

of Felony, and, being convicted thereof, shall be transported beyond the Seas for the Term of Fourteen Years.

Making or having in Possession any Mould for manufacturing Paper, with the Name of any Bankers appearing in the Substance; manufacturing or having such Paper; or causing the Name to appear in the Substance of any Paper; Transportation for 14 Years, &c.

XVII. And be it enacted, That if any Person shall make or use any Frame, Mould, or Instrument for the Manufacture of Paper, with the Name or Firm of any Person or Persons, Body Corporate, or Company carrying on the Business of Bankers (other than and except the Bank of *England*) appearing visible in the Substance of the Paper, without the Authority of such Person or Persons, Body Corporate, or Company, the Proof of which Authority shall lie on the Party accused; or if any Person shall, without lawful Excuse, the Proof whereof shall lie on the Party accused, knowingly have in his Custody or Possession any such Frame, Mould, or Instrument; or if any Person shall, without such Authority, to be proved as aforesaid, manufacture, use, sell, expose to Sale, utter, or dispose of, or shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession, any Paper in the Substance of which the Name or Firm of any such Person or Persons, Body Corporate, or Company carrying on the Business of Bankers shall appear visible; or if any Person shall, without such Authority, to be proved as aforesaid, cause the Name or Firm of any such Person or Persons, Body Corporate, or Company carrying on the Business of Bankers to appear visible in the Substance of the Paper upon which the same shall be written or printed; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

Engraving on any Plate, &c. any Bill of Exchange or Promissory Note of any Bankers, or any Words resembling the Subscription subjoined thereto, or using any such Plate; or uttering or having any Paper upon which any Part of any such Bill or Note shall be printed; Transportation for 14 Years, &c.

XVIII. And be it enacted, That if any Person shall engrave or in anywise make upon any Plate whatever, or upon any Wood, Stone, or other Material, any Bill of Exchange or Promissory Note for the Payment of Money, or any Part of any Bill of Exchange or Promissory Note for the Payment of Money, purporting to be the Bill or Note, or Part of the Bill or Note, of any Person or Persons, Body Corporate, or Company carrying on the Business of Bankers, (other than and except the Bank of *England*,) without the Authority of such Person or Persons, Body Corporate, or Company, the Proof of which Authority shall lie on the Party accused; or if any Person shall engrave or make upon any Plate whatever, or upon any Wood, Stone, or other Material, any Word or Words resembling, or apparently intended to resemble, any Subscription subjoined to any Bill of Exchange or Promissory Note for the Payment of Money issued by any such Person or Persons, Body Corporate, or Company carrying on the Business of Bankers, without such Authority, to be proved as aforesaid; or if any Person shall, without such Authority, to be proved as aforesaid, use, or shall, without lawful Excuse, to be proved by the Party accused, knowingly have in his Custody or Possession, any Plate, Wood, Stone, or other Material upon which any such Bill or Note, or Part thereof, or any Word or Words resembling, or apparently intended to resemble, such Subscription, shall be engraved or made; or if any Person shall, without such

Authority, to be proved as aforesaid, knowingly offer, utter, dispose of, or put off, or shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession any Paper upon which any Part of such Bill or Note, or any Word or Words resembling, or apparently intended to resemble, any such Subscription, shall be made or printed; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

Engraving Plates, &c. for Foreign Bills or Notes; using or having such Plates; or uttering any Paper on which any Part of such Foreign Bill or Note may be printed; Transportation for 14 Years, &c.

XIX. And be it enacted, That if any Person shall engrave or in anywise make upon any Plate whatever, or upon any Wood, Stone, or other Material, any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, or any Part of any Bill of Exchange, Promissory Note, Undertaking, or Order for Payment of Money, in whatever Language or Languages the same may be expressed, and whether the same shall or shall not be or be intended to be under Seal, purporting to be the Bill, Note, Undertaking, or Order, or Part of the Bill, Note, Undertaking, or Order, of any Foreign Prince or State, or of any Minister or Officer in the Service of any Foreign Prince or State, or of any Body Corporate, or Body of the like Nature, constituted or recognized by any Foreign Prince or State, or of any Person or Company of Persons resident in any Country, not under the Dominion of His Majesty, without the Authority of such Foreign Prince or State, Minister or Officer, Body Corporate or Body of the like Nature, Person or Company of Persons, the Proof of which Authority shall lie on the Party accused; or if any Person shall, without such Authority, to be proved as aforesaid, use, or shall, without lawful Excuse, to be proved by the Party accused, knowingly have in his Custody or Possession, any Plate, Stone, Wood, or other Material upon which any such Foreign Bill, Note, Undertaking, or Order, or any Part thereof, shall be engraved or made; or if any Person shall, without such Authority, to be proved as aforesaid, knowingly offer, utter, dispose of, or put off, or shall, without lawful Excuse, to be proved as aforesaid, knowingly have in his Custody or Possession, any Paper upon which any Part of such Foreign Bill, Note, Undertaking, or Order shall be made or printed; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

Inserting any false Entry in any Register of Baptisms, Marriages, or Burials; forging or altering any such Entry; uttering any false or forged Entry; destroying, &c.

XX. And be it enacted, That if any Person shall knowingly and wilfully insert, or cause or permit to be inserted, in any Register of Baptisms, Marriages, or Burials, which hath been or shall be made or kept by the Rector, Vicar, Curate, or officiating Minister of any Parish, District-Parish, or Chapelry in *England*, any false Entry of any Matter relating to any Baptism, Marriage, or Burial, or shall forge or alter in any such Register any Entry of any Matter relating to any Baptism, Marriage, or Burial; or shall utter any Writing as and for a Copy of an Entry in any such

the Register; forging any Licence of Marriage; Transportation for Life, &c.

Register of any Matter relating to any Baptism, Marriage, or Burial, knowing such Writing to be false, forged, or altered; or if any Person shall utter any Entry in any such Register of any Matter relating to any Baptism, Marriage, or Burial, knowing such Entry to be false, forged, or altered, or shall utter any Copy of such Entry, knowing such Entry to be false, forged, or altered, or shall wilfully destroy, deface, or injure, or cause or permit to be destroyed, defaced, or injured, any such Register or any Part thereof; or shall forge or alter, or shall utter knowing the same to be forged or altered, any Licence of Marriage; every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years nor less than Two Years.

Rector, &c. not liable to any Penalty for correcting, in the Mode prescribed, accidental Errors in the Register.

XXI. Provided always, and be it enacted, That no Rector, Vicar, Curate, or officiating Minister of any Parish, District-Parish, or Chapelry, who shall discover any Error in the Form or Substance of the Entry in the Register of any Baptism, Marriage, or Burial respectively by him solemnized, shall be liable to any of the Penalties herein mentioned if he shall, within One Calendar Month after the Discovery of such Error, in the Presence of the Parent or Parents of the Child baptized, or of the Parties married, or in the Presence of Two Persons who shall have attended at any Burial, or in the Case of the Death or Absence of the respective Parties aforesaid, then in the Presence of the Churchwardens or Chapelwardens, correct the Entry which shall have been found erroneous, according to the Truth of the Case, by Entry in the Margin of the Register wherein such erroneous Entry shall have been made, without any Alteration or Obliteration of the original Entry, and shall sign such Entry in the Margin, and add to such Signature the Day of the Month and Year when such Correction shall be made; and such Correction and Signature shall be attested by the Parties in whose Presence the same are directed to be made as aforesaid: Provided also, that in the Copy of the Register which shall be transmitted to the Registrar of the Diocese, the said Rector, Vicar, Curate, or officiating Minister shall certify the Corrections so made by him as aforesaid.

Inserting in any Copy of a Register of Baptisms, Marriages, or Burials, transmitted to the Registrar, any false Entry; or forging or verifying any Copy knowing it to be false; Transportation for 7 Years, &c.

XXII. And whereas Copies of the Registers of Baptisms, Marriages, and Burials, such Copies being signed and verified by the written Declaration of the Rector, Vicar, Curate, or officiating Minister of every Parish, District-Parish, and Chapelry in *England* where the Ceremonies of Baptism, Marriage, and Burial may lawfully be performed, are directed by Law to be made and transmitted to the Registrar of the Diocese within which such Parish, District-Parish, or Chapelry may be situated; be it therefore enacted, That if any Person shall knowingly and wilfully insert, or cause or permit to be inserted, in any Copy of any Register so directed to be transmitted as aforesaid, any false Entry of any Matter relating to any Baptism, Marriage, or Burial, or shall forge or alter, or shall utter knowing the same to be forged or altered, any Copy of any Register so directed to be transmitted as aforesaid, or shall knowingly and wilfully sign or verify any Copy of any Register so directed to be

transmitted as aforesaid, which Copy shall be false in any Part thereof, knowing the same to be false, every such Offender shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned for any Term not exceeding Two Years nor less than One Year.

The Punishments of 5 Eliz. c. 14. so far as they have been adopted by other Acts, shall be repealed, and other Punishments substituted.

XXIII. And whereas by an Act passed in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act against Forgers of false Deeds and Writings*, it is, amongst other Things, provided, that every Person convicted of any of the Offences first enumerated in that Act shall pay to the Party grieved his Double Costs and Damages, and shall forfeit to the Crown the whole Issues of his Lands and Tenements during his Life, and shall also suffer Imprisonment during his Life: And whereas there are certain Acts by which Persons convicted of certain Offences, mentioned in those Acts, are subjected to the same Pains and Penalties as are imposed by the said Act of Queen *Elizabeth* for the Offences first enumerated in that Act: And whereas the said Act of *Elizabeth* is herein-after repealed; and it is expedient to substitute other Punishments in lieu of the Punishments of that Act, so far as the same have been adopted by any other Acts; be it therefore enacted, That every Person who shall after the Commencement of this Act be convicted of any Offence which is now subjected, by any Act or Acts, to the same Pains and Penalties as are imposed by the said Act of Queen *Elizabeth* for any of the Offences first enumerated in that Act, shall be guilty of Felony, and shall, in lieu of such Pains and Penalties, be liable, at the Discretion of the Court, to be transported beyond the Seas for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years nor less than One Year.

All Forgers and Utterers may be tried in the County where they are apprehended or are in Custody.

XXIV. And be it enacted, That if any Person shall commit any Offence against this Act, or shall commit any Offence of forging or altering any Matter whatsoever, or of offering, uttering, disposing of, or putting off any Matter whatsoever, knowing the same to be forged or altered, whether the Offence in any such Case shall be indictable at Common Law or by virtue of any Statute or Statutes made or to be made, the Offence of every such Offender may be dealt with, indicted, tried, and punished, and laid and charged to have been committed, in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place; and every Accessory before or after the Fact to any such Offence, if the same be a Felony, and every Person aiding, abetting, or counselling the Commission of any such Offence, if the same be a Misdemeanor, may be dealt with, indicted, tried, and punished, and his Offence laid and charged to have been committed in any County or Place in which the principal Offender may be tried.

As to Principals in the Second Degree and Accessories.

XXV. And be it enacted, That in the Case of every Felony punishable under this Act, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable with Death, or otherwise, in the same Manner as the Principal in the First Degree is by this Act punishable; and every Accessory after the Fact to any Felony

Felony punishable under this Act shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years.

The Court may order hard Labour or solitary Confinement for Offences against this Act.

XXVI. And be it enacted, That where any Person shall be convicted of any Offence punishable under this Act, for which Imprisonment may be awarded, it shall be lawful for the Court to sentence the Offender to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, and also to direct that the Offender shall be kept in solitary Confinement for the Whole or any Portion or Portions of such Imprisonment, as to the Court in its Discretion shall seem meet.

As to Offences committed at Sea.

XXVII. And be it enacted, That where any Offence punishable under this Act shall be committed within the Jurisdiction of the Admiralty, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Offence committed within that Jurisdiction.

Rule of Interpretation as to criminal Possession, and as to Parties intended to be defrauded.

XXVIII. And be it declared and enacted, That where the having any Matter in the Custody or Possession of any Person is in this Act expressed to be an Offence, if any Person shall have any such Matter in his personal Custody or Possession, or shall knowingly and wilfully have any such Matter in any Dwelling House or other Building, Lodging, Apartment, Field, or other Place, open or enclosed, whether belonging to or occupied by himself or not, and whether such Matter shall be so had for his own Use or for the Use or Benefit of another, every such Person shall be deemed and taken to have such Matter in his Custody or Possession within the Meaning of this Act; and where the committing any Offence with Intent to defraud any Person whatsoever is made punishable by this Act, in every such Case the Word "Person" shall throughout this Act be deemed to include His Majesty or any Foreign Prince or State, or any Body Corporate, or any Company or Society of Persons not incorporated, or any Person or Number of Persons whatsoever who may be intended to be defrauded by such Offence, whether such Body Corporate, Company, Society, Person, or Number of Persons shall reside or carry on Business in *England* or elsewhere, in any Place or Country, whether under the Dominion of His Majesty or not; and it shall be sufficient in any Indictment to name One Person only of such Company, Society, or Number of Persons, and to allege the Offence to have been committed with Intent to defraud the Person so named, and another or others, as the Case may be.

This Act not to extend to Scotland or Ireland;

XXIX. And be it enacted, That this Act shall not extend to any Offence committed in *Scotland* or *Ireland*.

but to apply to the forging or uttering in England Documents purporting to be made, or actually made, out of England;

XXX. Provided always, and be it declared and enacted, That where the forging or altering any Writing or Matter whatsoever, or the offering, uttering, disposing of, or putting off any Writing or Matter whatsoever, knowing the same to be forged or altered, is in this Act expressed to be an Offence, if any Person shall, in that Part of the United Kingdom called *England*, forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any such Writing or Matter, in whatsoever Place or Country out of *England*,

England, whether under the Dominion of His Majesty or not, such Writing or Matter may purport to be made or may have been made, and in whatever Language or Languages the same or any Part thereof may be expressed, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Writing or Matter had purported to be made or had been made in *England*; and if any Person shall in *England* forge or alter, or offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Bill of Exchange or any Promissory Note for the Payment of Money, or any Indorsement on or Assignment of any Bill of Exchange or Promissory Note for the Payment of Money, or any Acceptance of any Bill of Exchange, or any Undertaking, Warrant, or Order for the Payment of Money, or any Deed, Bond, or Writing Obligatory for the Payment of Money, (whether such Deed, Bond, or Writing Obligatory shall be made only for the Payment of Money, or for the Payment of Money together with some other Purpose,) in whatever Place or Country out of *England*, whether under the Dominion of His Majesty or not, the Money payable or secured by such Bill, Note, Undertaking, Warrant, Order, Deed, Bond, or Writing Obligatory may be or may purport to be payable, and in whatever Language or Languages the same respectively or any Part thereof may be expressed, and whether such Bill, Note, Undertaking, Warrant, or Order be or be not under Seal, every such Person, and every Person aiding, abetting, or counselling such Person, shall be deemed to be an Offender within the Meaning of this Act, and shall be punishable thereby in the same Manner as if the Money had been payable or had purported to be payable in *England*.

and to the forging or uttering in England Bills of Exchange, Promissory Notes, Bonds, &c. purporting to be payable out of England.

XXXI. And be it enacted, That so much of a Statute made in the Twenty-fifth Year of the Reign of King *Edward* the Third as relates to counterfeiting the King's Great or Privy Seal, and so much of an Act passed in the First Year of the Reign of Queen *Mary*, intituled *An Act that the counterfeiting of strange Coins being current within this Realm, the Queen's Highness' Sign Manual, Signet, or Privy Seal, be adjudged Treason*, as relates to forging or counterfeiting the Queen's Sign Manual, Privy Signet, or Privy Seal; and an Act passed in the Fifth Year of the Reign of Queen *Elizabeth*, intituled *An Act against Forgers of false Deeds and Writings*; and an Act passed in the Twenty-first Year of the Reign of King *James* the First, intituled *An Act against such as shall levy any Fine, suffer any Recovery, acknowledge any Statute, Recognizance, Bail, or Judgment in the Name of any other Person or Persons not being privy and consenting thereto*; and so much of an Act passed in the Fourth Year of the Reign of King *William* and Queen *Mary*, intituled *An Act for taking Special Bails in the Country upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer at* Westminster, as relates to any Offence thereby made Felony; and so much of an Act passed in the Eighth and Ninth Years of the Reign of King *William* the Third, intituled *An Act for making good the Deficiencies of several Funds therein mentioned, and for enlarging the Capital Stock of the Bank of* England, *and for raising the Public Credit*, as relates to forging or counterfeiting the Common Seal of the

Repeal of 25 Edw. 3. stat. 5. c. 2.

1 Mar. stat. 2. c. 6.

5 Eliz. c. 14.

21 Jac. 1. c. 26.

4 W. & M. c. 4. s. 4.

8 & 9 W. 3. c. 20. s. 36.

Governor and Company of the Bank of *England*, or any sealed Bank Bill, or any Bank Note, or altering or rasing any Indorsement on any Bank Bill or Note; and so much of an Act passed in the Seventh Year of the Reign of Queen *Anne*, intituled *An Act for improving the Union of the Two Kingdoms*, as relates to counterfeiting Her Majesty's Seals, appointed by the Twenty-fourth Article of the Union to be kept, used, and continued in *Scotland*; and so much of an Act passed in the Eighth Year of the Reign of King *George* the First, intituled *An Act to prevent the Mischiefs by forging Powers to transfer such Stocks or to receive such Annuities or Dividends as are therein mentioned, or by fraudulently personating the true Owners thereof; and to rectify Mistakes of the late Managers for taking Subscriptions for increasing the Capital Stock of the* South Sea *Company, and in the Instrument founded thereupon*, as relates to any Forgery or other capital Felony therein mentioned; and so much of an Act passed in the Twelfth Year of the same Reign, intituled *An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, as likewise Indorsements on* South Sea *Bonds*, as relates to any Person who shall forge or counterfeit, or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting, any Bond or Obligation of the *East India* Company, or any Indorsement or Assignment thereon, or on any Bond or Obligation of the *South Sea* Company, or shall utter or publish the same knowing the same to be forged or counterfeited; and the Whole of an Act passed in the Second Year of the Reign of King *George* the Second, intituled *An Act for the more effectual preventing and further Punishment of Forgery, Perjury, and Subornation of Perjury, and to make it Felony to steal Bonds, Notes, or other Securities for Payment of Money*, except so far as relates to Perjury and Subornation of Perjury; and an Act passed in the Seventh Year of the same Reign, intituled *An Act for the more effectual preventing the forging the Acceptance of Bills of Exchange, or the Numbers or Principal Sums of accountable Receipts for Notes, Bills, or other Securities for Payment of Money, or Warrants or Orders for Payment of Money or Delivery of Goods;* and so much of an Act passed in the Fifteenth Year of the same Reign, intituled *An Act for establishing an Agreement with the Governor and Company of the Bank of* England *for advancing the Sum of One million six hundred thousand Pounds towards the Supply for the Service of the Year One thousand seven hundred and forty-two*, as relates to any Person who shall forge, counterfeit, or alter any Bank Note or other Matter specified in the said Act, or shall knowingly offer, dispose of, or put away such forged, counterfeit, or altered Note or other Matter, or knowingly demand the Money therein contained or pretended to be due thereon, or any Part thereof, as in the said Act is mentioned; and so much of an Act passed in the Thirty-first Year of the same Reign, intituled *An Act for granting to His Majesty several Rates and Duties upon Offices and Pensions, and upon Houses, and upon Windows or Lights; and for raising the Sum of Five Millions by Annuities and a Lottery, to be charged on the said Rates and Duties*, as relates to any Forgery or other capital Felony therein mentioned; and so much of an Act passed in the Fourth Year of the Reign of King *George* the Third, intituled *An Act for establishing an Agreement with the Governor and Company of the Bank of* England *for*

7 Anne, c. 21. s. 9.
8 G. 1. c. 22. s. 1.
12 G. 1. c. 32. s. 9.
2 G. 2. c. 25. except s. 2.
7 G. 2. c. 22.
15 G. 2. c. 13. s. 11.
31 G. 2. c. 22. s. 77 & 78.
4 G. 3. c. 25. s. 15.

raising certain Sums of Money towards the Supply for the Service of the Year One thousand seven hundred and sixty-four; and for more effectually preventing the forging Powers to transfer such Stock or receive such Dividends or Annuities as are therein mentioned, and the fraudulent personating the Owners thereof, as relates to any Forgery or other capital Felony therein mentioned; and an Act passed in the Thirteenth Year of the same Reign, intituled *An Act for the more effectual preventing the forging of the Notes or Bills of the Governor and Company of the Bank of* England, *and for the preventing the obtaining a false Credit by the Imitation of the Notes or Bills of the said Governor and Company;* and an Act passed in the Eighteenth Year of the same Reign, intituled *An Act to explain an Act passed in the Seventh Year of the Reign of His late Majesty King* George *the Second, intituled 'An Act for the more effectual preventing the forging the Acceptance 'of Bills of Exchange, or the Numbers or Principal Sums of account- 'able Receipts for Notes, Bills, or other Securities for Payment of 'Money, or Warrants or Orders for Payment of Money or Delivery 'of Goods;'* and so much of an Act passed in the Twenty-seventh Year of the Reign of King *George* the Third, intituled *An Act for taking and swearing Affidavits to be made use of in the Court of Session of the County Palatine of* Chester, *and for taking of Special Bail in Actions and Suits depending in the same Court,* as relates to any Offence thereby made Felony; and an Act passed in the Thirty-third Year of the Reign of King *George* the Third, intituled *An Act for the better preventing Forgeries and Frauds in the Transfers of the several Funds transferrable at the Bank of* England; and an Act passed in the Thirty-seventh Year of the same Reign, intituled *An Act for the better preventing the forging or counterfeiting the Names of Witnesses to Letters of Attorney or other Authorities, or Instruments for the Transfer of Stocks or Funds which now are, or by any Act or Acts of Parliament shall hereafter be made transferrable at the Bank of* England, *or for the Transfer of any Part of the Capital Stock of the Governor and Company of the Bank of* England, *called Bank Stock, or for the Transfer of any Part of the Capital Stock, or any Stocks or Funds under the Management of the* South Sea *Company, or for the Transfer of any Part of the Capital Stock of the* East India *Company, or for the Receipt of Dividends upon any of such Stocks or Funds;* and an Act passed in the Forty-first Year of the same Reign, intituled *An Act for the more effectually preventing the Forgery of Bank Notes, Bank Bills of Exchange, and Bank Post Bills;* and an Act passed in the same Year, intituled *An Act for the better Prevention of the Forgery of the Notes and Bills of Exchange of Persons carrying on the Business of Bankers;* and so much of an Act passed in the Forty-third Year of the same Reign, intituled *An Act for preventing the forging and counterfeiting of Foreign Bills of Exchange, and of Foreign Promissory Notes and Orders for the Payment of Money; and for preventing the counterfeiting of Foreign Copper Money,* as in anywise relates to any Foreign Bill of Exchange, or Foreign Promissory Note, Undertaking, or Order for the Payment of Money; and an Act passed in the Forty-fifth Year of the same Reign, intituled *An Act to alter and extend the Provisions of the Laws now in force for the Punishment of the Forgery of Bank Notes, Bills of Exchange, and other Securities, to every Part of* Great Britain; and so much of an Act passed in the Forty-eighth Year of the same Reign, intituled *An Act for regulating the issuing and paying off of Exchequer Bills,*

13 G. 3. c. 79.

18 G. 3. c. 18.

27 G. 3. c. 43. s. 4.

33 G. 3. c. 30.

37 G. 3. c. 122.

41 G. 3. (U.K.) c. 39.

41 G. 3. c. 57.

43 G. 3. c. 139. s. 1 & 2.

45 G. 3. c. 89.

48 G. 3. c. 1. s. 9.

Bills, as relates to any Forgery or other capital Felony therein mentioned; and an Act passed in the Fifty-second Year of the same
52G.3.c.138. Reign, intituled *An Act for the further Prevention of the counterfeiting of Silver Tokens issued by the Governor and Company of the Bank of* England, *called Dollars, and of Silver Pieces issued and circulated by the said Governor and Company, called Tokens; and for the further Prevention of Frauds practised by the Imitation of the Notes or Bills of the said Governor and Company;* and so much of
52G.3.c.146. s. 14. an Act passed in the same Year, intituled *An Act for the better regulating and preserving Parish and other Registers of Births, Baptisms, Marriages, and Burials in* England, as relates to any Felony therein mentioned; and so much of an Act passed in the Fourth Year of
4 G. 4. c. 76. s. 29. the Reign of His late Majesty King *George* the Fourth, intituled *An Act for amending the Laws respecting the Solemnization of Marriages in* England, as relates to any Person who shall knowingly and wilfully insert in the Register Book any false Entry of any Matter relating to any Marriage, or shall falsely make, alter, forge, or counterfeit any such Entry in the Register, or any Licence of Marriage, or shall utter or publish as true any false, altered, forgered, or counterfeited Register of Marriage, or a Copy thereof, or any false, altered, forged, or counterfeited Licence of Marriage, knowing such Register or Licence of Marriage respectively to be false, altered, forged, or counterfeited, or shall wilfully destroy any Register Book of Marriages, or any Part thereof, or shall cause or procure or assist in the Commission of any of the said several Offences; shall continue in force until and throughout the Twentieth Day of *July* in the present Year, and shall from and after that Day, as to that Part of the United Kingdom called *England*, be repealed, except so far as any of the said Acts may repeal the Whole or any Part of any other Acts, and except as to Offences committed before or upon the said Twentieth Day of *July*, which shall be dealt with and punished as if this Act had not been passed: Provided always, that if any Person, who shall before or upon the said Twentieth Day of *July* have committed any Offence against any of the several Acts hereby repealed as aforesaid, shall after the Commencement of this Act be convicted of the same, and such Offence shall have been made punishable with Death by any of the said several Acts, but shall not be made punishable with Death by this Act, in every such Case the Person convicted of such Offence shall not suffer the Punishment of Death, but shall, in lieu thereof, be liable, at the Discretion of the Court, to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned, with or without hard Labour, for any Term not exceeding Four Years nor less than Two Years.

Offences committed previous to the Repeal may be tried under the old Acts after the Repeal.

Proviso.

Commencement of this Act.

XXXII. And be it enacted, That this Act shall commence and take effect on the Twenty-first Day of *July* in the present Year.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. LXVII.

An Act to alter and amend several Acts for the Improvement of the Roads from *London* to *Holyhead*, and from *London* to *Liverpool*; and for the further Improvement of the said Roads.

[23d *July* 1830.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards repairing Roads between* London *and* Holyhead, *by* Chester, *and between* London *and* Bangor, *by* Shrewsbury: And whereas an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for vesting in Commissioners the Bridges now building over the* Menai Straits *and the River* Conway, *and the Harbours of* Howth *and* Holyhead, *and the Road from* Dublin *to* Howth; *and for the further Improvement of the Road from* London *to* Holyhead; and by the said last-mentioned Act certain Commissioners were appointed, and various Powers given to them, for carrying the Purposes thereof into execution: And whereas an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for further extending the Powers of an Act for vesting in Commissioners the Bridges building over the* Menai Straits *and the River* Conway, *and the Harbours of* Howth *and* Holyhead, *and the Road from* Dublin *to* Howth; *and*

55 G. 3. c. 152.

4 G. 4. c. 74.

7 G. 4. c. 76.

for the further Improvement of the Road from London *to* Holyhead: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled
7 & 8 G. 4. c. 35. *An Act for the further Improvement of the Road from* London *to* Holyhead, *and of the Road from* London *to* Liverpool: And whereas an Act was passed in the Ninth Year of the Reign of His late
9 G. 4. c. 75. Majesty King *George* the Fourth, intituled *An Act for the further Improvement of the Road from* London *to* Holyhead, *and of the Road from* London *to* Liverpool: And whereas by the said recited Act of the Seventh Year of the Reign of His said late Majesty it was among other Things enacted, that the Commissioners for the Execution of the herein-before recited Act of the Fourth Year of His said late Majesty should apply any Sum not exceeding the Sum of Fourteen thousand Pounds in making and completing a new Cut or Piece of Road, leaving the then present Road from *London* to *Holyhead* in the Town of *Barnet*, and falling into the same Road again at *South Mims*, the same being within the Limits of the *Saint Albans* Trust; and the Trustees of the *Saint Albans* Trust were thereby authorized and required, when the said new Road from *Barnet* to *South Mims* should be opened to the Public, to cause a Toll Gate or Bar and Side Gates, with Toll Houses, to be erected on or by the Side of such Part or Parts of the said last-mentioned new Road as to them should seem most convenient; and the said Trustees were thereby authorized and required, as soon as such Toll Gate and Bar and Side Gates, and Toll Houses, should be completed, to take, of the Person or Persons attending any Horses, Cattle, or Carriages passing along the last-mentioned new Road, and through the said Toll Gate or Bar or Side Gates, before any Horse or Carriage should be permitted to pass through the same, the several Tolls therein mentioned and specified; and after reciting, that in consequence of the Alterations therein-before authorized and directed to be made in the Road between *Barnet* and *South Mims* as aforesaid, it would become necessary to remove the then present Toll Gate at *South Mims*, the said Trustees of the *Saint Albans* Trust were by the said Act empowered, if they should think it expedient so to do, to remove the Toll Gate or Bar and Toll House then standing at *South Mims* aforesaid, and to take, at the Toll Gate or Bar and Side Gates therein-before authorized to be erected by them on the new Road from *Barnet* to *South Mims* aforesaid, in addition to the new Tolls therein-before authorized to be taken at such Gates, the old Tolls then taken by such Trustees at the Toll Gate at *South Mims* aforesaid: And whereas the said new Cut or Piece of Road from *Barnet* to *South Mims* has been some Time since completed, and is now open to the Public: And whereas the said Toll Gate at *South Mims*, which the said Trustees of the *Saint Albans* Trust were by the said Act of the Seventh Year of the Reign of His late Majesty King *George* the Fourth authorized to remove, has been removed, and in lieu of such removed Gate a new Toll Gate or Bar and a Toll House have been erected near the *White Hart* Inn at *South Mims* aforesaid, on the said new Cut or Piece of Road, and a Gate adjoining thereto has also been erected on the old Line of Road, near its Junction with the new Piece of Road aforesaid: And whereas Doubts have arisen as to the

Tolls which the Trustees of the *Saint Albans* Trust are, under the Powers vested in them by the said recited Act of the Seventh Year of the Reign of His said Majesty as aforesaid, empowered to levy and collect from Persons at the said Toll Gate and Side Gate so erected as aforesaid, and it is desirable that such Doubts should be removed, and any Doubt as to the Tolls to be taken at any other Toll Gate or Side Bar hereafter to be erected on, across, or by the Sides of or near to the said new Cut or Piece of Road, or already erected or hereafter to be erected on, across, or by the Sides of or near any other Part of the Road within the said Trust called the *Saint Albans* Trust, prevented; be it therefore declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Trustees of the *Saint Albans* Trust are, under and by virtue of the said recited Act of the Seventh Year of the Reign of His late Majesty King *George* the Fourth, authorized, empowered, and required, and they are by this Act authorized, empowered, and required, to take, demand, recover, and levy, at the Toll Gate erected on the new Cut or Piece of Road near the *White Hart* Inn at *South Mims* aforesaid, and also at the Gate adjoining thereto, erected on the old Line of Road as aforesaid, and also at any other Toll Gate or Side Bar to be erected on, across, or by the Side of or near the said new Cut or Piece of Road, by or under the Authority of the said Trustees of the *Saint Albans* Trust, and they are also in like Manner authorized and empowered to take, demand, recover, and levy, at any other Toll Gate or Side Bar already erected or hereafter to be erected on, across, or by the Sides of or near any other Part of the Road within the said Trust called the *Saint Albans* Trust, by or under the Authority of the Trustees of the same Trust, of the Person or Persons attending any Horses, Cattle, or Carriages, before any such Horses, Cattle, or Carriages shall be permitted to pass through any of the said Toll Gates or Side Gates, as well the said new Toll or Tolls which the said Trustees of the said *Saint Albans* Trust are authorized, empowered, and required by the said recited Act of the Seventh Year of the Reign of His said late Majesty to take, demand, and collect of the Person or Persons attending any Horses, Cattle, or Carriages passing along the said new Cut or Piece of Road, as also the old Toll or Tolls collected and taken, or authorized to be collected and taken, by the said Trustees, at the Toll Gate or Bar at *South Mims*, at the Time the same was so removed as aforesaid; and as well the said new as the said old Toll or Tolls shall and may be demanded, recovered, and levied, whether such Horses, Cattle, or Carriages shall or shall not pass along the said new Cut or Piece of Road.

The old Tolls as well as the new, payable at the White Hart Gate, South Mims, shall be taken by the Trustees of the Saint Albans Road.

II. And whereas by the said recited Act of the Seventh and Eighth Years of the Reign of His said late Majesty it is enacted, that during such Time as the said new Piece of Road from *Barnet* to *South Mims* should be repaired and maintained by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, the said Trustees of the *St. Albans* Trust should, with and out of the Tolls to be collected by them in respect of the said new Piece of Road, pay to the said Com-

So much of 7 & 8 G. 4. c. 35. as directs the Payment of 600*l.* to the Commissioners by the Trustees of the Road from Barnet

to South Mims repealed.

Commissioners, for the Repair and Maintenance of the said new Piece of Road, the annual Sum of Six hundred Pounds, by quarterly Payments, in manner therein mentioned: And whereas the said annual Sum of Six hundred Pounds is insufficient for repairing and maintaining the said new Piece of Road until it shall be made over by the said Commissioners to the said Trustees; be it therefore further enacted, That so much and such Part of the said recited Act of the Seventh and Eighth Years of the Reign of His said late Majesty as directs the said Trustees of the *St. Albans* Trust, during such Time as the said new Piece of Road should be maintained and repaired by the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, with and out of the Tolls to be collected by the said Trustees in respect of the said new Piece of Road to pay to them the said Commissioners the annual Sum of Six hundred Pounds, shall be and the same is hereby repealed.

Commissioners authorized to lay out 1,000*l.* annually in the Repair of the same Road.

III. And be it further enacted, That during such Time as the said new Piece of Road from *Barnet* to *South Mims* shall be repaired and maintained by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, under or by virtue of the Powers and Provisions contained in the said recited Act of the Seventh and Eighth Years of the Reign of His said late Majesty, the said Commissioners are hereby authorized and empowered, with and out of the Tolls to be received by them from the Trustees of the *Saint Albans* Trust in respect of the said new Piece of Road, to lay out and expend in the Repair and Maintenance of the same such annual Sum and Sums of Money as they the said Commissioners may think expedient, not exceeding the annual Sum of One thousand Pounds; any Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

In case the Trustees of the St. Albans Road neglect to collect the Tolls, the Commissioners under 4 G. 4. c. 74. may collect them.

IV. And be it further enacted, That in case the Trustees of the *Saint Albans* Trust shall neglect or refuse to collect, demand, and receive the said Tolls herein-before mentioned, according to the Powers and Directions of the said recited Act of the Seventh Year of the Reign of His said late Majesty King *George* the Fourth, and of this Act, it shall and may be lawful for the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, and they are hereby authorized and empowered, to take Possession of the said Toll Gate and Toll House erected on the new Cut or Piece of Road near the *White Hart* Inn at *South Mims*, and also of the Gate adjoining thereto as aforesaid, and of any other Toll Gate and Side Bar to be erected across or near the said new Piece of Road by the said Trustees, and to appoint a Toll Collector, and to take, demand, recover, and levy the Tolls so authorized and required to be taken, demanded, and received by the said Trustees as aforesaid; and the said Commissioners shall continue in Possession of the Toll Gates or Gate, and Toll House, and Side Gates or Gate, to be so taken Possession of, and shall receive the said Tolls until the Principal Sum or Sums advanced or applied under the Provisions of the said Act of the Seventh Year of the Reign of His said late Majesty, with Interest thereon as aforesaid, shall be fully paid

paid and satisfied; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to use, exercise, and put in force all the Powers, Authorities, Remedies, and Provisions which might be put in force by the said Trustees for the demanding, receiving, and recovering the said Tolls; and in case the Trustees of the *Saint Albans* Trust shall neglect or refuse to account for or pay over to the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said Majesty, the Tolls so authorized to be collected by the said Trustees as directed by the said recited Act of the Seventh Year of the Reign of His said Majesty, as aforesaid, and this Act, it shall and may be lawful for the said Commissioners to seize the Toll Gate or Bar and Toll House and Side Gate so erected and set up by the said Trustees as aforesaid, and any other Gate or Bar to be erected by the said Trustees across or by the Side of the said new Piece of Road, and in like Manner to collect, demand, and receive the Tolls which the said Trustees might have collected, demanded, and received.

For removing Doubts as to the Tolls to be taken at the Gates between Coventry and Allesley.

V. And whereas by the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty it is recited, that by an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for improving the Public Roads in and through the City of* Coventry, the Trustees acting in execution of that Act were authorized to erect Toll Gates across or on the Sides of the Streets and Lanes therein particularly mentioned, and across or on the Sides of any Roads to be made, widened, or straightened, under the Powers of that Act, and across the End of any Lane or Way leading into the same, and to collect at such Toll Gates the Tolls in the said Act mentioned; and reciting that as soon as so much of the new Piece of Road therein-before directed to be made as lay between the Site of the late Walls of the City of *Coventry* and *Hertford Street* in the said City, and so much of the said new Piece of Road as lay between *Saint John*'s Church in the said City and the Village of *Allesley*, should be respectively completed and opened to the Public, it would be expedient that the Toll Gates therein-after mentioned should be erected, and the Tolls therein-after mentioned should be collected; it was, by the now reciting Act of the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth, enacted, that it should be lawful for the Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said Majesty to erect a Toll Gate in the said City of *Coventry* across the new Line of Road near *Little Park Street*, and another Toll Gate across the said new Line of Road from *Coventry* to the Village of *Allesley*, near *Saint John*'s Church aforesaid, together with any Side Gates on any Part of the said new Line of Road, with Toll Houses thereto: And whereas by the said recited Act of the Ninth Year of the Reign of His said Majesty (after reciting the said Act of the Seventh and Eighth Years of the Reign of His said Majesty, as herein-before recited,) it is recited, that the said new Piece of Road between *Saint John*'s Church, in the said City of *Coventry*, and the Village of *Allesley*, was then forming, and would be shortly completed and finished, and that it would be expedient that the Toll Gate by the

said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty authorized to be erected across the new Road near *Saint John*'s Church aforesaid should be erected as soon as such last-mentioned Piece of Road should be completed and opened to the Public, it was, by the now reciting Act of the Ninth Year of the Reign of His said Majesty, enacted, that it should be lawful for the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said Majesty as aforesaid, as soon as the said new Line of Road then forming between *Saint John*'s Church, in the City of *Coventry*, and the Village of *Allesley* aforesaid, should be completed, to erect such Toll Gate across the said new Line of Road at any Place within Half a Mile of *Saint John*'s Church aforesaid, together with Side Gates on any Part of the said new Line of Road, with Toll Houses thereto: And whereas the said new Line of Road between *Saint John*'s Church, in the City of *Coventry*, and the Village of *Allesley*, hath been sometime since completed and opened to the Public, and the Toll Gate authorized and directed by the said recited Act of the Ninth Year of the Reign of His said Majesty to be erected across the last-mentioned new Line of Road, with Side Gates thereto, hath been erected and finished, and the several Tolls authorized and directed by the said recited Acts of the Seventh and Eighth and the Ninth Years of the Reign of His said Majesty to be levied and collected at the said Toll Gate and Side Gates have been, since the said new Line of Road was completed and finished, and are now, collected and taken by the said Trustees acting in the Execution of the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third: And whereas that Portion of the said new Line of Road authorized and directed to be made by the said Act of the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, which lies between the Site of the East Walls of the City of *Coventry* and *Hertford Street* in the said City, is not yet made or formed, and Doubts have arisen whether the said last-mentioned Trustees are authorized and empowered, previously to the said last-mentioned Portion of the said Line of Road being completed and opened to the Public, to take Tolls at the said Gates so erected across and on the Side of the said new Line of Road between *Saint John*'s Church, in the City of *Coventry*, and the Village of *Allesley* aforesaid; and it is expedient that such Doubts should be removed; be it therefore declared and enacted, That the said Trustees acting in the Execution of the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third were and are by the said recited Acts of the Seventh and Eighth Years and of the Ninth Year of His late Majesty King *George* the Fourth empowered and required, and the said Trustees during the Time mentioned for that Purpose by the said Act of the Seventh and Eighth Years aforesaid, and after that Time the Trustees of the *Dunchurch* and *Stonebridge* Trust, are by this Act further empowered and required, to collect, demand, and receive at the said Toll Gate and Side Gates so erected on the said new Line of Road between *Saint John's* Church, in the City of *Coventry*, and the Village of *Allesley*, as herein-before mentioned, the said several Tolls authorized and directed to be demanded and taken and received at such Toll Gate and Side Gates by the

said recited Acts of the Seventh and Eighth and Ninth Years of the Reign of His said Majesty as aforesaid, before as well as after the Completion and opening to the Public of the said new Line of Road between the Site of the late Walls of the City of *Coventry* and *Hertford Street* in the said City, and between *Saint John*'s Church in the said City and the Village of *Allesley*.

So much of the recited Act of 9 G. 4. as requires the Road within the Highgate Archway Trust to be made over to that Company within Two Years, repealed.

VI. And whereas by the said recited Act of the Ninth Year of the Reign of His said late Majesty King *George* the Fourth the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty were authorized to apply the Sum of Fourteen thousand Pounds in altering and improving the Road within the Limits and District of the *Highgate* Archway Company's Trust; and it was thereby enacted, that every new Piece of Road which should be made, altered, or improved under the Provisions therein contained, should be open to the Public as soon as the same should be completed, and should, for the Period of Two Years after the same should have been completed and opened to the Public, be repaired, maintained, and supported by and under the Care and Superintendence of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, and after the Expiration of the said Period of Two Years every such new Piece of Road should be deemed and taken to be and should become, to all Intents and Purposes, a Part of that Road to which the old Road or Part of a Road in lieu of or for the Improvement of which such new Piece of Road should have been made did belong before the making of such new Piece of Road, and should be vested in the Trustees or Commissioners in whom such old Road or Part of a Road should have been vested, and should be maintained and repaired by them: And whereas it is desirable, in consequence of the Difficulty of rendering the Road within the Limits and District of the *Highgate* Archway Company's Trust, so authorized to be altered and improved as aforesaid, as perfect as it ought to be for the great Traffic that passes over the same, that the said Road, instead of being maintained and repaired for the Period of Two Years only after the Completion and opening thereof by and under the Care and Superintendence of the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, should be repaired and maintained by the said Commissioners, and under their Care and Superintendence, until they shall think proper to give up the same to the said *Highgate* Archway Company, or until the said *Highgate* Archway Company shall require the said Commissioners to make over the said Road to them under the Proviso for that Purpose herein-after contained; be it therefore enacted, That so much and such Part of the said recited Act of the Ninth Year of the Reign of His said late Majesty as requires the said Road thereby authorized to be altered and improved, within the *Highgate* Archway Company's Trust, to be made over to the *Highgate* Archway Company at the Expiration of Two Years after the same shall have been completed and opened to the Public, and to be from thenceforth maintained and repaired by them, shall be and the same is hereby repealed; and that it shall not be necessary for the said Commissioners to give up the

the said Road to the said *Highgate* Archway Company until they the said Commissioners shall in their full Discretion think proper so to do, or until the said *Highgate* Archway Company shall require the said Commissioners to make over the said Road to them as hereinafter mentioned, any thing in the said last-mentioned Act to the contrary thereof in anywise notwithstanding; but the said Road shall be repaired and maintained by and under the Care and Superintendence of the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty until such Time as the said Commissioners shall in their full Discretion think proper to make over the same to the said *Highgate* Archway Company (which making over shall be effected by any Resolution for that Purpose passed at any Meeting of the said Commissioners, specifying the Day on which the said Road shall be so made over, and of which Resolution Notice in Writing shall be given to the said *Highgate* Archway Company, or their Clerk or Treasurer, at least Fourteen Days before the Day therein named for making over the said Road,) or until the said *Highgate* Archway Company shall require the said Commissioners to give up the said Road to them as aforesaid; and from and after the Time when the said Road shall be so given up or made over by the said Commissioners, the said Road shall be maintained and repaired by the said *Highgate* Archway Company.

Road to continue to be repaired by the Commissioners until they shall think proper to make over the same to the Company.

VII. Provided always, and be it further enacted, That in case the said *Highgate* Archway Company shall, at any Time during the Period that the said Road shall be repaired and maintained by and under the Care and Superintendence of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, be minded and desirous to have the said Road given up to them, and of such their Mind and Desire shall give to the said Commissioners, or their Clerk or Secretary, Twelve Calendar Months Notice in Writing, then and in such Case the said Road shall, at the End or Expiration of the Time mentioned in such Notice, be made over by the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty to the said *Highgate* Archway Company, and shall from thenceforth be maintained and repaired by the said *Highgate* Archway Company.

If the Company are desirous to have the Road made over to them, and give Notice thereof to the Commissioners, the same shall be done.

VIII. And be it further enacted, That during such Time as the said Road shall be maintained and repaired by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, the said *Highgate* Archway Company shall, with and out of the Tolls to be collected by them in respect of the said Road, pay to the said Commissioners for the Repair and Maintenance of the same, so long as such Road shall be maintained and repaired by the said Commissioners, the annual Sum of Eight hundred Pounds, by Two equal half-yearly Payments, on the First Day of *July* and the First Day of *January* in each Year, the first of such half-yearly Payments to begin and be made on the First Day of *January* One thousand eight hundred and thirty-two; and in case any

During the Time that the said Road is maintained by the Commissioners, the Company shall pay to them the Sum of 800*l.* yearly.

any Default shall be made by the said *Highgate* Archway Company in Payment of the said annual Sum or of any Part thereof, then and in every such Case it shall be lawful for the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty to seize and take possession of the Toll Houses and Gates at which the Tolls payable on or in respect of the said Road shall be collected, and to collect, demand, and receive the Tolls which the said *Highgate* Archway Company might there have collected, demanded, and received, and with the same Powers and Authorities in every respect, and to continue in such Possession and Receipt until all Arrears due to them, and all Expences occasioned by such Default of the said *Highgate* Archway Company shall have been fully paid and satisfied.

Proceeding in case of Default.

IX. And whereas it is expedient to amend the said recited Act of the Ninth Year of the Reign of His said late Majesty in the Description of the Breadth of the Tires of the Wheels of any Cart, Waggon, or other Vehicle passing over or along any Part of the said Road from *London* to *Holyhead* which is situate between the Town of *Shrewsbury* in the County of *Salop* and *Llangollen* in the County of *Denbigh*, passing by or through *Montford Bridge* and *Oswestry*, being the present Mail Coach Line of Road, and between the *Menai Bridge*, near the Town of *Bangor* in the County of *Carnarvon*, and *Holyhead* in the *Isle of Anglesey*, passing by the new *Menai* Inn, *Llanfair* Toll Gate, and the new Embankments on *Stanley Sands*, being the present Mail Coach Line of Road; be it therefore further enacted, That so much of the said last-mentioned Act as prohibits any Person from driving any Cart, Waggon, or other Vehicle over and along the said last-mentioned Roads between *Shrewsbury* and *Llangollen*, and between *Bangor* and *Holyhead*, or any Part thereof, of which the Wheels shall have Tires beyond the Breadth of Three Inches, and prohibits the Gatekeepers on the said Roads from allowing any such Cart, Waggon, or other Vehicle to pass along the said Roads or any Part thereof, and imposes a Penalty on any Person driving any such Cart, Waggon, or other Vehicle over or along the said Roads or any Part thereof, shall be and the same is hereby repealed.

So much of 9 G. 4. c. 35. as prohibits the using of Wheels with Tires beyond the Breadth of 3 Inches on the Road between Shrewsbury and Llangollen, repealed.

X. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and thirty-one it shall not be lawful for any Person to drive any Waggon, Cart, or other such Carriage over or along the said Roads between *Shrewsbury* and *Llangollen*, and between the *Menai Bridge* and *Holyhead*, as aforesaid, or over or along any Part or Parts thereof respectively, any of the Wheels of which shall have Nails projecting beyond the Surface of the Tires thereof, or any of the Wheels of which shall have Tires less than the Breadth of Three Inches; and no Gatekeeper on the said Roads shall, after the said First Day of *January* One thousand eight hundred and thirty-one, allow any such Waggon, Cart, or other such Carriage to pass through any Gate entrusted to him or under his Care; and if any Person shall drive any such Waggon, Cart, or other such Carriage over or along the said Roads, or any of them, or any Part or Parts thereof respectively, after the said First Day of *January* One thousand eight hundred and thirty-one,

Prohibiting the Use of Carts, &c. having Nails projecting over the Surface of the Tires, or Wheels with less Tires than 3 Inches on the Road between Shrewsbury and Llangollen, and between the Menai Bridge and Holyhead.

one, he shall forfeit and pay the Sum of Forty Shillings; which Sum shall be recoverable in the same Manner as Penalties and Forfeitures under the said recited Act of the Fourth Year of the Reign of His said late Majesty are by that Act authorized to be recovered, and shall be applied in the same Manner and to the same Purposes as the Tolls to be collected on the said Roads.

During the Time that any new Piece of Road shall be under the Care of the Commissioners, the Powers and Penalties of 3 G. 4. c. 126. and 4 G. 4. c. 96., for preventing Annoyances, shall be extended to them.

XI. And be it further enacted, That during so long as any new Piece of Road to be made under the Provisions herein-before contained, or any other new Piece or Pieces of Roads made or repaired, or to be made or repaired, under the Powers of the several herein-before recited Acts, shall be under the Care and Management of the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, and shall be repaired, maintained, and supported by them, all the Clauses, Provisions, Powers, Penalties, and Forfeitures contained in an Act made and passed in the Third Year of the Reign of His said late Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England, and also in another Act made and passed in the Fourth Year of the Reign of His said late Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England, for the Purpose of preventing or removing Annoyances, Injuries, Nuisances, and Obstructions to or upon Turnpike Roads, shall and they are hereby declared to extend to the said several Pieces of Road; and it shall and may be lawful to and for the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty to put in execution, so far as regards the said new Pieces of Road or any or either of them, all the Powers and Authorities by the said last-mentioned Acts given to and authorized to be executed by Trustees or Commissioners of Turnpike Roads, for the Purposes aforesaid or any of them, as fully and effectually as any Trustees or Commissioners may do under the Authority of the said several Acts or either of them, any Exemption of the said Commissioners, or of the Roads under their Care, from the general Operations of the said last-mentioned Acts, notwithstanding.

New Pieces of Road at Fenny Stratford and Sandhouse and Forty Mile Hills to be made over to the Trustees of the Hockliffe and Stratford Road, and thenceforth maintained by them.

XII. And whereas Two new Pieces of Road have been made and completed by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty at *Fenny Stratford*, and at the Hills called *Sandhouse* and *Forty Mile Hills*, in the County of *Bucks*, within the Limits and District of the *Hockliffe* and *Stratford* Trust; be it further enacted, That from and after the First Day of *August* next the said new Pieces of Road shall be made over by the said last-mentioned Commissioners to and vested in the Trustees acting in execution of an Act passed in this present Session of Parliament, intituled *An Act for the more effectually repairing and maintaining the Road between* Hockliffe *in the County of* Bedford *and* Stoney Stratford *in the County of* Buckingham, and shall be from thenceforth maintained, repaired, and supported

by such Trustees in the Manner and under the same Powers, Authorities, and Provisions as the old Roads in lieu of which such new Pieces of Road have been made were previously maintained, repaired, and supported.

New Piece of Road in Wolverhampton to be made over to the Trustees of the Wolverhampton Trust, and by them maintained.

XIII. And whereas a new Piece of Road hath been made and completed by the said last-mentioned Commissioners from the *Coach and Horses* Public House in *Bilston Street* in the Town of *Wolverhampton* in the County of *Stafford* to *Salop Street* in the same Town, within the Limits and District of the *Wolverhampton* Trust; be it further enacted, That from and after the First Day of *August* next the said last-mentioned new Piece of Road shall (notwithstanding any Provision contained in any Act to the contrary) be made over by the said Commissioners to and vested in the Trustees acting in execution of an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from* Gibbet Lane *to* Wolverhampton *in the County of* Stafford, *and several other Roads therein described, and for extending the said Road from* King's Wood Common *to the Turnpike Road leading from* Weston-under-Lizard *to* Newport *in the County of* Salop; and shall be from thenceforth maintained, repaired, and supported by such Trustees in the same Manner, and under the same Powers, Authorities, and Provisions, as the other Roads within their Trust are repaired, maintained, and supported.

50 G. 3. c. 56.

Commissioners may contract with the Trustees of any of the Trusts between London and Holyhead and between London and Liverpool for the Repair, by the Commissioners, of any Part of the said Roads.

XIV. And be it further enacted, That it shall and may be lawful for the Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty, and they are hereby empowered, if they shall think it expedient so to do, to contract and agree with the Trustees of any of the respective Trusts under whom the said Roads between *London* and *Holyhead* and between *London* and *Liverpool* are repaired and maintained, for the Alteration, Repair, and Improvement, by the said Commissioners, of any Part of the said Roads under the Care and Management of such several Trustees; and when any such Agreements shall be made and entered into, the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid shall direct an Account to be opened in their Books for such Road or Roads so agreed to be altered, repaired, and improved by them; and it shall and may be lawful for the Trustees within whose District such Road or Roads so agreed to be altered, repaired, or improved, shall be situated, and they are hereby empowered, thereupon to pay over and place to such Account of the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid a Sum equal to the estimated Expence of altering, repairing, or improving such Road or Roads; and such Sum so paid by the said Trustees shall be expended by the said Commissioners in altering, repairing, and improving the said Road or Roads; and it shall and may be lawful for the said Commissioners, in carrying on and effecting the Alterations, Repairs, and Improvements which shall be agreed to be done by them as aforesaid, and in

Commissioners in effecting such Repairs may

exercise as well the Powers of the recited Act of 4 G. 4. as those of the Acts relating to the said Roads.

in obtaining Materials for the Purpose of making such Alterations, Repairs, and Improvements, and in all other Matters and Things relating thereto, to exercise, enforce, and carry into effect as well the several Powers contained in the said recited Act of the Fourth Year aforesaid, either expressly or by reference to any former Act or Acts, as also all the Powers, Provisions, Enactments, and Regulations in any Act or Acts contained relating to the Road or Roads on which the Alterations, Repairs, or Improvements are agreed to be made, in as full, ample, and efficient a Manner as the same might have been exercised, enforced, and put in execution by the Trustees agreeing with the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty as aforesaid, in case the Alterations, Repairs, and Improvements of such Road or Roads had been carried on by such Trustees.

Commissioners to make Contracts for the Repairs hereinbefore mentioned.

XV. Provided always, and be it further enacted, That the said Commissioners acting in the Execution of the said recited Act of the Fourth Year of the Reign of His late Majesty shall and may and they are hereby empowered and required to make such Contracts and Agreements as they shall think proper with skilful Persons, and their Sureties, for the carrying on, making, and completing any such Alterations, Repairs, and Improvements hereinbefore mentioned, and to appoint such Person or Persons as they shall think proper, who shall from Time to Time, under such Regulations as the said Commissioners shall direct, draw for the necessary Sums to defray the Expences thereof; and such Payments shall from Time to Time be placed to the Account of the Trust in the Limits or Districts of which the Expences shall be incurred; and all the said Repairs, Alterations, and Improvements which may be so agreed to be made by the said Commissioners as aforesaid on the said Roads shall be done by Contract, and in no other Way whatever.

Copies of Contracts and Plans to be submitted to Committees of Trustees of Districts.

XVI. And be it further enacted, That a Copy of every such Contract, and the Terms thereof, shall, previously to the same being signed and concluded, together with a Map or Plan of the proposed Alteration or Improvement, be submitted by the said Commissioners acting in execution of the said recited Act of the Fourth Year of the Reign of His said late Majesty to a Committee of not exceeding Five in Number of the Trustees within whose Limits or District the Work specified in such Contract is to be performed, which Committee such Trustees are hereby respectively empowered to elect and appoint.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXVIII.

An Act for the more effectual Protection of Mail Contractors, Stage Coach Proprietors, and other common Carriers for Hire, against the Loss of or Injury to Parcels or Packages delivered to them for Conveyance or Custody, the Value and Contents of which shall not be declared to them by the Owners thereof. [23d *July* 1830.]

WHEREAS by reason of the frequent Practice of Bankers and others of sending by the public Mails, Stage Coaches, Waggons, Vans, and other public Conveyances by Land for Hire, Parcels and Packages containing Money, Bills, Notes, Jewellery, and other Articles of great Value in small Compass, much valuable Property is rendered liable to Depredation, and the Responsibility of Mail Contractors, Stage Coach Proprietors, and common Carriers for Hire is greatly increased: And whereas through the frequent Omission by Persons sending such Parcels and Packages to notify the Value and Nature of the Contents thereof, so as to enable such Mail Contractors, Stage Coach Proprietors, and other common Carriers, by due Diligence, to protect themselves against Losses arising from their legal Responsibility, and the Difficulty of fixing Parties with Knowledge of Notices published by such Mail Contractors, Stage Coach Proprietors, and other common Carriers, with the Intent to limit such Responsibility,

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they have become exposed to great and unavoidable Risks, and have thereby sustained heavy Losses: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Mail Contractor, Stage Coach Proprietor, or other common Carrier by Land for Hire shall be liable for the Loss of or Injury to any Article or Articles or Property of the Descriptions following; (that is to say,) Gold or Silver Coin of this Realm or of any Foreign State, or any Gold or Silver in a manufactured or unmanufactured State, or any Precious Stones, Jewellery, Watches, Clocks, or Time-pieces of any Description, Trinkets, Bills, Notes of the Governor and Company of the Banks of *England*, *Scotland*, and *Ireland* respectively, or of any other Bank in *Great Britain* or *Ireland*, Orders, Notes, or Securities for Payment of Money, *English* or Foreign, Stamps, Maps, Writings, Title Deeds, Paintings, Engravings, Pictures, Gold or Silver Plate or plated Articles, Glass, China, Silks in a manufactured or unmanufactured State, and whether wrought up or not wrought up with other Materials, Furs, or Lace, or any of them, contained in any Parcel or Package which shall have been delivered, either to be carried for Hire or to accompany the Person of any Passenger in any Mail or Stage Coach or other public Conveyance, when the Value of such Article or Articles or Property aforesaid contained in such Parcel or Package shall exceed the Sum of Ten Pounds, unless at the Time of the Delivery thereof at the Office, Warehouse, or Receiving House of such Mail Contractor, Stage Coach Proprietor, or other common Carrier, or to his, her, or their Book-keeper, Coachman, or other Servant, for the Purpose of being carried or of accompanying the Person of any Passenger as aforesaid, the Value and Nature of such Article or Articles or Property shall have been declared by the Person or Persons sending or delivering the same, and such increased Charge as herein-after mentioned, or an Engagement to pay the same, be accepted by the Person receiving such Parcel or Package.

Mail Contractors, Coach Proprietors, and Carriers not to be liable for Loss of certain Goods above the Value of 10*l.*, unless delivered as such, and increased Charge accepted.

II. And be it further enacted, That when any Parcel or Package containing any of the Articles above specified shall be so delivered, and its Value and Contents declared as aforesaid, and such Value shall exceed the Sum of Ten Pounds, it shall be lawful for such Mail Contractors, Stage Coach Proprietors, and other common Carriers to demand and receive an increased Rate of Charge, to be notified by some Notice affixed in legible Character in some public and conspicuous Part of the Office, Warehouse, or other Receiving House where such Parcels or Packages are received by them for the Purpose of Conveyance, stating the increased Rates of Charge required to be paid over and above the ordinary Rate of Carriage as a Compensation for the greater Risk and Care to be taken for the safe Conveyance of such valuable Articles; and all Persons sending or delivering Parcels or Packages containing such valuable Articles as aforesaid at such Office shall be bound by such Notice, without further Proof of the same having come to their Knowledge.

When any Parcel shall be so delivered, an increased Rate of Charge may be demanded.

Notice of the same to be affixed in Offices or Warehouses.

Carriers to give Receipts, acknowledging increased Rate.

III. Provided always, and be it further enacted, That when the Value shall have been so declared, and the increased Rate of Charge paid, or an Engagement to pay the same shall have been accepted as herein-before mentioned, the Person receiving such increased Rate of Charge or accepting such Agreement shall, if thereto required, sign a Receipt for the Package or Parcel, acknowledging the same to have been insured, which Receipt shall not be liable to any Stamp Duty; and if such Receipt shall not be given when required, or such Notice as aforesaid shall not have been affixed, the Mail Contractor, Stage Coach Proprietor, or other common Carrier as aforesaid shall not have or be entitled to any Benefit or Advantage under this Act, but shall be liable and responsible as at the Common Law, and be liable to refund the increased Rate of Charge.

In case of Neglect to give Receipt or affix Notice, the Party not to be entitled to Benefit of this Act.

Publication of Notices not to limit the Liability of Proprietors, &c., in respect of any other Goods conveyed.

IV. Provided always, and be it enacted, That from and after the First Day of *September* now next ensuing no public Notice or Declaration heretofore made or hereafter to be made shall be deemed or construed to limit or in anywise affect the Liability at Common Law of any such Mail Contractors, Stage Coach Proprietors, or other public common Carriers as aforesaid, for or in respect of any Articles or Goods to be carried and conveyed by them; but that all and every such Mail Contractors, Stage Coach Proprietors, and other common Carriers as aforesaid shall from and after the said First Day of *September* be liable, as at the Common Law, to answer for the Loss of any Injury to any Articles and Goods in respect whereof they may not be entitled to the Benefit of this Act, any public Notice or Declaration by them made and given contrary thereto, or in anywise limiting such Liability, notwithstanding.

Every Office used to be deemed a Receiving House;

and any One Coach Proprietor or Carrier shall be liable to be sued.

V. And be it further enacted, That for the Purposes of this Act every Office, Warehouse, or Receiving House which shall be used or appointed by any Mail Contractor or Stage Coach Proprietor or other such common Carrier as aforesaid for the receiving of Parcels to be conveyed as aforesaid, shall be deemed and taken to be the Receiving House, Warehouse, or Office of such Mail Contractor, Stage Coach Proprietor, or other common Carrier; and that any One or more of such Mail Contractors, Stage Coach Proprietors, or common Carrier shall be liable to be sued by his, her, or their Name or Names only; and that no Action or Suit commenced to recover Damages for Loss or Injury to any Parcel, Package, or Person, shall abate for the Want of joining any Co-proprietor or Co-partner in such Mail, Stage Coach, or other public Conveyance by Land for Hire as aforesaid.

Not to affect Contracts.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to annul or in anywise affect any special Contract between such Mail Contractor, Stage Coach Proprietor, or common Carrier, and any other Parties, for the Conveyance of Goods and Merchandizes.

VII. Pro-

Parties entitled to Damages for Loss may also recover back extra Charges.

VII. Provided also, and be it further enacted, That where any Parcel or Package shall have been delivered at any such Office, and the Value and Contents declared as aforesaid, and the increased Rate of Charges been paid, and such Parcels or Packages shall have been lost or damaged, the Party entitled to recover Damages in respect of such Loss or Damage shall also be entitled to recover back such increased Charges so paid as aforesaid, in addition to the Value of such Parcel or Package.

Nothing herein to protect felonious Acts.

VIII. Provided also, and be it further enacted, That nothing in this Act shall be deemed to protect any Mail Contractor, Stage Coach Proprietor, or other common Carrier for Hire from Liability to answer for Loss or Injury to any Goods or Articles whatsoever arising from the felonious Acts of any Coachman, Guard, Book-keeper, Porter, or other Servant in his or their Employ, nor to protect any such Coachman, Guard, Book-keeper, or other Servant from Liability for any Loss or Injury occasioned by his or their own personal Neglect or Misconduct.

Coach Proprietors and Carriers liable only to such Damages as are proved.

IX. Provided also, and be it further enacted, That such Mail Contractors, Stage Coach Proprietors, or other common Carriers for Hire shall not be concluded as to the Value of any such Parcel or Package by the Value so declared as aforesaid, but that he or they shall in all Cases be entitled to require, from the Party suing in respect of any Loss or Injury, Proof of the actual Value of the Contents by the ordinary legal Evidence, and that the Mail Contractors, Stage Coach Proprietors, or other common Carriers as aforesaid shall be liable to such Damages only as shall be so proved as aforesaid, not exceeding the declared Value, together with the increased Charges as before mentioned.

Money may be paid into Court in all Actions for Loss of Goods.

X. And be it further enacted, That in all Actions to be brought against any such Mail Contractor, Stage Coach Proprietor, or other common Carrier as aforesaid, for the Loss of or Injury to any Goods delivered to be carried, whether the Value of such Goods shall have been declared or not, it shall be lawful for the Defendant or Defendants to pay Money into Court in the same Manner and with the same Effect as Money may be paid into Court in any other Action.

Public Act.

XI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXIX.

An Act for uniting the Benefits of Jury Trial in Civil Causes with the ordinary Jurisdiction of the Court of Session, and for making certain other Alterations and Reductions in the Judicial Establishments of *Scotland*. [23d *July* 1830.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to facilitate the Administration of Justice in that Part of the United Kingdom called* Scotland, *by the extending Trial by Jury to Civil Causes;* by which Act certain Commissioners were appointed for the Trial of such Causes, and certain Regulations made in regard to such Trials: And whereas another Act was passed in the Fifty-ninth Year of the Reign of His said Majesty, intituled *An Act to amend an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled 'An Act to facilitate 'the Administration of Justice in that Part of the United Kingdom 'called* Scotland, *by the extending Trial by Jury to Civil Causes:'* And whereas another Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better regulating of the Forms of Process in the Courts of Law in* Scotland; by which last Act certain Provisions were made relative to the Constitution of the Jury Court, and which Provisions are declared to continue and be in force until the Thirtieth Day of *June* in the Year One thousand eight hundred and thirty, and from thence to the End of the next Session of Parliament; and it is further provided by the said

55 G. 3. c. 42.

59 G. 3. c. 35.

6 G. 4. c. 120.

said last-recited Act, that it should be lawful for His Majesty to appoint such Persons as He should think fit, to make all Inquiries, as they should be directed, by Instructions from His Majesty, into the Forms of proceeding in Trials of Civil Causes by Jury in *Scotland*, and to report whether these Forms may be improved, and at what Time and in what Manner the Union of the Benefit of Jury Trial in Civil Causes with the Jurisdiction of the Court of Session may be best accomplished: And whereas pursuant to the said last-recited Act His late Majesty did, by an Instrument under His Royal Sign Manual, appoint certain Persons to make the Inquiries set forth in the said last-recited Act, as more particularly specified in Instructions annexed to the said Instrument under the Royal Sign Manual: And whereas the said Commissioners so appointed made a Report to His late Majesty upon the Subject Matters into which they were appointed to inquire; which Report has been laid before both Houses of Parliament: And whereas it is expedient that the said recited Acts should be altered, amended, and continued in certain Parts, and that Provision should be made for uniting the Benefits of Jury Trial in Civil Causes with the ordinary Jurisdiction of the Court of Session in *Scotland;* and that in so doing Advantage should be taken of the Knowledge and Experience of the present Lord Chief Commissioner and of the other Lords Commissioners of the Jury Court: And whereas it is also expedient that certain other Alterations and Reductions should take place in the Judicial Establishments of *Scotland:* May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *October* next after the passing of this Act, the Jurisdiction for Trial by Jury in Civil Causes shall be united with and shall form Part of the ordinary Administration of Justice in the Court of Session in *Scotland;* and the Trial of Causes by Jury shall take place in the Court of Session as herein-after directed: Provided always, that the Jury Court and the Jurisdiction thereof shall continue as now constituted until the said Date, after which it shall cease and determine; but without Prejudice to the present Lord Chief Commissioner and the other Lords Commissioners of the Jury Court respectively continuing to perform the Duties herein-after directed.

From Oct. 5, 1830, Trial by Jury in Civil Causes shall be united with the ordinary Administration of Justice in the Court of Session in Scotland.

II. And be it enacted, That from and after such Union all Causes and Issues, which, if they had occurred before the passing of this Act, must by Law have been tried by Jury in the Jury Court, shall be tried by Jury in the Court of Session; and such Causes shall be prepared for Trial by the Lords Ordinary respectively before whom such Causes shall depend.

Causes to be prepared by the Lords Ordinary, and tried by Jury in the Court of Session.

III. And be it enacted, That from and after the Period when such Union shall take place as aforesaid, the Lords President of the Two Divisions shall respectively try by Jury all Issues arising out of Causes depending in these Divisions respectively when such Trials take place at *Edinburgh;* and may otherwise respectively discharge all Duties previously assigned to the Lord Chief Commissioner, in so

Lords President to try all Jury Causes originating in their respective Divisions.

far as may regard such Causes, not being inconsistent with the Provisions of this Act: Provided always, that it shall continue to be competent to the said Lord Chief Commissioner to perform all such Duties; and farther, that for the Space of Three Years from and after the Time when such Union shall take place, there shall be present and form a component Part of the Court, upon all Occasions when either of the Lords President of the Two Divisions of the Court of Session shall respectively try by Jury any Issue arising out of a Civil Cause, either the Lord Chief Commissioner of the Jury Court, or One of the Judges of the Court of Session, who at the Time of such Union shall have held the Office of One of the Lords Commissioners of the Jury Court; and provided farther, that in the Event of the Indisposition or necessary Absence of either of the said Lords President, such Issues shall, during the foresaid Space of Three Years, be tried either by the said Lord Chief Commissioner along with One of the Judges of the Court of Session, or by at least Two Judges of the Court of Session, whereof there shall be One of the said Judges of the Jury Court; and that from and after the Expiration of that Period, such Issues shall in the said Events be tried by any other Judge or Judges of the Division of the Court before which the Cause may depend.

Lord Chief Commissioner to continue to perform his Duties relative to Trial of Civil Causes.

Provision in case of Absence of Lord President.

IV. Provided always, and it is hereby enacted, That if the Judges of the Court of Session who had held the Office of Commissioners of the Jury Court shall, before the Expiry of Three Years, be reduced to Two, it shall be competent to the Lord President of either Division to proceed to Trial, if he think fit, without any Judge who has formerly been of the Jury Court, and they are hereby empowered so to proceed.

Lord President may proceed to Trial without Judge of Jury Court.

V. And be it enacted, That it shall and may be lawful for either Party to apply to the Division of the Court to which a Cause belongs, that the Issue or Issues shall be tried before such Division; and such Division may or may not, in its Discretion, order such Cause to be so tried.

Application for Trial.

VI. And be it further enacted, That the Lord President of each Division of the Court shall have Power, and he is hereby authorized and empowered, to order and direct that any Issue or Issues shall be tried before the Division of the Court to which he belongs: Provided always, that for the Space of Three Years as aforesaid, either the Lord Chief Commissioner or one of the foresaid Judges of the Jury Court shall be one of the Court on Occasion of such Trials.

Lord President may direct Issues to be tried before his Division of the Court.

VII. And be it enacted, That all Proceedings for the Correction of Errors or Injustice alleged to have been committed in the Trial of a Cause, and all Questions reserved for Decision after Trial, and all Questions relating to the Application of the Verdict, or the Rights and Interests arising therefrom, and all Questions of Expences, shall proceed before the Division of the Court to which the Cause belongs: Provided always, that such Division shall have Power to order a Hearing before the whole Court of Session, or to require the Opinions of

Proceedings in Error to be taken before the Division to which the Cause belongs.

of the other Judges, on such Points or Questions as such Division may deem proper.

Lord Chief Commissioner to sit as a Lord of Session in Jury Cases.

VIII. And be it enacted, That the said Lord Chief Commissioner shall be empowered and have Right to sit and vote in both Divisions of the Court as a Judge of the Court of Session, in the before-recited and all other Proceedings touching any Cause now triable in the Jury Court, both before and after Verdict, and shall be entitled to rank immediately after the Lord Justice Clerk.

Trials by Jury may proceed when the Division is not sitting.

IX. And be it enacted, That Trials by Jury may proceed at all such Times, as well during Session as in the Vacation, as the Division of the Court before which the Cause stands inrolled shall appoint; and all Causes remaining untried and entered as ready for Trial, at the Termination of the Winter or Summer Sessions, or at the Commencement of the *Christmas* Recess, shall be tried at Sittings of the Court to be held immediately after these Periods respectively, excepting only such Causes as, on the Motion of any Party, the Court may think fit to postpone.

Provision for extending the Winter and Summer Sessions.

X. And be it enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, with Consent of His Privy Council, and He is hereby empowered, if He shall think fit, to order and direct that the Winter and Summer Sessions of the Court of Session, or either of them, shall be extended, and to specify the Time or Times of such Extension, and the precise Duration thereof, and to direct that such Extension shall apply either to the whole Court of Session, or exclusively to the permanent Lords Ordinary: Provided always, that such Extension shall not on the whole exceed the Space of One Calendar Month in the Course of the Year; and that it shall in like Manner be lawful for His Majesty thereafter to direct that such Extension be diminished as to Duration, and altered or varied as to the Time or Times when the same shall take place, and that the Sessions shall in like Manner be again extended as Occasion may require, and the said Court, or the permanent Lords Ordinary, shall sit at the Time or Times and during the Period or Periods which may be so ordered by His Majesty; and for the Information of His Majesty in this Behalf, the Lord President of the Court of Session is hereby required, on or before the Fifteenth Day of *January* in every Year, to transmit to One of His Majesty's Principal Secretaries of State a Return, according to the Form prescribed in the Schedule hereunto annexed; which Return shall be laid before both Houses of Parliament.

Trial of Issues before Courts.

XI. And be it enacted, That all Causes or Issues appointed to be tried before any Circuit Court shall and may be so tried before any One or more of the Judges of the Court of Justiciary when upon Circuit; and at all Trials before any Circuit Court the Jury shall be taken from the Lists prepared for the Trial of criminal Offences: Provided always, that it shall be competent to either Division of the Court of Session, if in their Judgment it shall be considered necessary, to direct any Causes or Issues to be tried by any other Judge

Judge or Judges of the Court of Session at any Circuit Town, and if necessary for the Trial of the same to cause Jurymen to be summoned in the Manner provided by the before recited Acts.

Clerks in Jury Court.

XII. And be it enacted, That the Clerks and Macers of the Jury Court shall continue to discharge the Duties of their respective Offices in the Court of Session, after such Union, as well at *Edinburgh* as on the Circuits; and that all other inferior Offices in the Jury Court shall be and the same are hereby abolished.

Reduction of Clerks, &c. in the Court of Session.

XIII. And be it enacted, That the Two Vacancies which shall next occur in the Office of Principal Clerk of Session, as also in the Office of Depute Clerk of Session, shall not be supplied; and that in like Manner the Vacancies in the Offices of the other Clerks belonging to the Court of Session shall not be supplied until the total Number of such Clerks, including those connected with Proceedings in Trial by Jury, shall not exceed the Number of Clerks exclusively belonging to the Court of Session at the passing of this Act; and it shall be lawful for the said Court, from Time to Time as said Vacancies occur, to make such Regulations as may be necessary for duly apportioning the Duty among the remaining Clerks; and it is provided that as Vacancies shall occur in the Office of Macer, the Number of Macers shall be reduced, so that they shall not exceed the Number of Macers officiating exclusively in the Court of Session at the passing of this Act.

Appointment of Depute Clerks to be in His Majesty.

XIV. And be it enacted, That the Appointment of Depute Clerks and of Assistant Clerks of Session shall be vested in His Majesty; and it is hereby provided, that during the necessary Absence of any Principal Clerk of Session it shall be competent for any Depute Clerk of Session to discharge the Duties of such Principal Clerk.

Certain Causes to be exempted from the Fee Fund.

XV. And be it enacted, That no Payment on account of the Fee Fund of the Court of Session, nor any Fee or Demand by any Clerk or Officer of that Court, shall be exigible in respect of any Step or Proceeding in any Cause which might not have been exigible if such Cause had been brought into the Jury Court previously to the passing of this Act.

Provisions of above recited Acts to remain in force where not inconsistent with this Act.

XVI. And it is further enacted, That all the Provisions of the foresaid recited Acts now in force, in so far as not inconsistent with this Act, shall be continued and remain in force until altered or revoked by Parliament, and that all Rules and Regulations in observance in the Jury Court at the Time of the Union of Jury Trial in Civil Causes with the Administration of Justice in the Court of Session, established and enforced by Act of Sederunt, shall continue and be observed as Rules and Regulations applicable to the Court of Session after such Union, until the same shall be altered by Acts of Sederunt; and it is hereby provided, that the said Court of Session shall have full Power and Authority, by Acts of Sederunt, to make all Regulations for duly adapting the Forms previously observed in the Jury Court to the Proceedings in the Court of

Session, and afterwards to alter and amend such Regulations when necessary: Provided always, that such Regulations be not inconsistent with the Provisions of this or any other Act of Parliament now in force; and that all Acts of Sederunt authorized by this Act to be made shall be laid before Parliament, if sitting, within Fifteen Days from the respective Dates thereof, and if Parliament be not sitting, within Fifteen Days from and after the next Meeting of Parliament.

Acts of Sederunt to be laid before Parliament.

XVII. And be it enacted, That in the Event of the Death or Resignation of the said Lord Chief Commissioner, or of any of the other Lords Commissioners of the Jury Court, no Successor shall be appointed to any such Judge or Judges as Commissioner of the Jury Court.

No Successors to be appointed to the present Jury Court Judges.

XVIII. And be it enacted, That from and after the Termination of the present existing Interest in the Office of Lord Justice General, that Office shall devolve upon and remain united with the Office of Lord President of the Court of Session, who shall perform the Duties thereof as presiding Judge in the Court of Justiciary; and that the Salary attached to the Office of Lord Justice General shall cease, and that the Appointment of Macers of the said Court shall be vested in His Majesty.

Office of Lord Justice General to devolve on Lord President.

XIX. And be it enacted, That when the Office of Lord Justice General shall have devolved upon the Lord President of the Court of Session, and when he shall deem it expedient to be present at any Circuit Court, it shall be lawful for him to dispatch Business in such Court, whether any other Judge or Judges of the Court of Justiciary be or be not present; any thing contained in an Act of the Parliament of *Scotland*, passed in the Year One thousand six hundred and seventy-two, intituled *An Act concerning the Regulation of the Judicatories*, or in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away and abolishing the Heritable Jurisdictions in that Part of* Great Britain *called* Scotland, *and for making Satisfaction to the Proprietors thereof, and for restoring such Jurisdictions to the Crown, and for making more effectual Provision for the Administration of Justice throughout that Part of the United Kingdom, by the King's Courts and the Judges there, and for obliging all Persons acting as Procurators, Writers, or Agents in the Law in* Scotland *to take the Oaths, and for rendering the Union of the Kingdoms more complete*, or in any other Law or Custom to the contrary notwithstanding.

In such Case Lord President to dispatch Business in any Circuit Court notwithstanding Act of the Scotch Parliament 1672, c. 40, or 20 G. 2. c. 43.

XX. And be it enacted, That when Vacancies shall occur among the permanent Lords Ordinary of the Court of Session, whether by Death, Resignation, or Removal into One of the Divisions of the Inner House, such Vacancies shall not be filled up until the Number of permanent Lords Ordinary shall be reduced to Five, so that the total Number of Judges composing the Court of Session, including he Lord President and the Lord Justice Clerk, shall be limited to Thirteen.

Lords Ordinary to be reduced to Five, and the Court to Thirteen.

Transference of Admiralty Jurisdiction.

XXI. And whereas al. Maritime Causes may now be brought by Review before the Court of Session, and many Causes formerly heard and determined by the High Court of Admiralty are now remitted to the Jury Court: And whereas the Court of Justiciary holds a cumulative Jurisdiction with the High Court of Admiralty as to all Crimes competent to be tried by the High Court of Admiralty: And whereas it has become unnecessary and inexpedient to maintain any separate Court for Maritime or Admiralty Causes; be it therefore enacted, That the High Court of Admiralty be abolished, and that hereafter the Court of Session shall hold and exercise original Jurisdiction in all Maritime Civil Causes and Proceedings of the same Nature and Extent in all respects as that held and exercised in regard to such Causes by the High Court of Admiralty before the passing of this Act; and all Applications of a summary Nature connected with such Causes may be made to the Lord Ordinary on the Bills: Provided always, that all such Causes, not exceeding the Value of Twenty-five Pounds Sterling, shall be instituted and carried on in the first Instance before an inferior Court, in the Manner directed and with the Exceptions specified in an Act of the Parliament of *Scotland*, passed in the Year Sixteen hundred and seventy-two, intituled *An Act concerning the Regulation of the Judicatories.* 1672, c. 40.

Sheriffs to have Jurisdiction in Maritime Causes.

XXII. And be it enacted, That the Sheriffs of *Scotland* and their Substitutes shall, within their respective Sheriffdoms, including the navigable Rivers, Ports, Harbours, Creeks, Shores, and anchoring Grounds in or adjoining such Sheriffdoms, hold and exercise original Jurisdiction in all Maritime Causes and Proceedings, Civil and Criminal, including such as may apply to Persons residing furth of *Scotland*, of the same Nature as that heretofore held and exercised by the High Court of Admiralty.

Maritime Causes to be tried in same Manner as other Causes.

XXIII. And be it enacted, That the finding of Caution and using of Arrestment heretofore observed in the High Court of Admiralty, and all Regulations relative thereto, may be enforced in the foresaid Courts respectively; and Maritime Causes may be heard and determined by the Sheriff according to the same Modes and Rules which are applicable in the Sheriff Court to Causes not Maritime, including the Mode prescribed in an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the more effectual Recovery of Small Debts, and for diminishing the Expences of Litigation in Causes of small Amount, in the Sheriff Courts in* Scotland; and the Sentences, Interlocutors, and Decrees pronounced by Sheriffs in Maritime Causes shall be subject to Review by the Courts of Session and Justiciary respectively, in the same Way and Manner in which Sentences, Interlocutors, and Decrees of Sheriffs in similar Causes not Maritime are subject to Review at present, and not otherwise: Provided always, that it shall not be competent to the Sheriff to try any Crime committed on the Seas of a Nature which it would not be competent for that Judge to try if the Crime had been committed on Land. 10 G. 4. c. 55.

XXIV. And

Provision when Counties are separated by Water.

XXIV. And be it enacted, That where Counties are separated from each other by a River, or by a Firth or Estuary, the Sheriffs of the Counties adjoining to the Sides thereof shall have a cumulative Jurisdiction over the whole intervening Space so occupied by Water: Provided always, that the Pursuer of all Civil Causes shall, where such cumulative Jurisdiction applies, bring the Cause before the Sheriff of that County within which the Defender may reside; and it is provided, that where there are several Defenders in the same Cause, residing in different Counties, the same Rules shall apply in regard to the Citation of the whole of such Defenders before the same Sheriff Court, which are observed in similar Circumstances with respect to Causes not Maritime; and it is provided farther, that Sheriffs shall respectively have Power to remit such Causes from their own Court to that of another Sheriff *ob Contingentiam*, or for other sufficient Cause.

Office of Judge Admiral abolished.

Provision for depending Actions.

XXV. And be it enacted, That from and after the Commencement of this Act, the Office of the Judge Admiral shall be and the same is hereby abolished, as also the Offices of all Clerks and Officers belonging to that Court; and it is hereby provided, that all Actions and Proceedings which shall be depending on the said Fifth Day of *October* before the High Court of Admiralty shall be transferred to the Sheriff of any Court wherein such Action and Proceeding might have originated if this Act had been passed previously to the Commencement of such Actions or Proceedings, and the same shall thereupon be heard and determined in the same Manner as if they had been brought before such Sheriff in the first Instance; and as soon as conveniently may be after the said Fifth Day of *October*, the Processes in all such depending Actions shall be transmitted accordingly to such Sheriff by the Clerk of the High Court of Admiralty, together with an Inventory made by the said Clerk, to the Accuracy whereof he shall make Oath if required: Provided always, that if any Doubt shall arise touching the Transmission of any such Process, it shall be competent to the Clerk of the High Court of Admiralty, or to any Party in any such Cause, to apply to the Lord Ordinary on the Bills, who shall give Directions thereupon, and whose Directions shall be final; and provided also, that when the Parties to any such Cause shall, previously to such Transmission, give in a joint Note to the said Clerk, setting forth their Wish that such Cause should proceed in the Court of Session instead of being so transferred to the Sheriff, and shall therein specify the Lord Ordinary by whom they are desirous that such Cause should be decided, the Clerk of the High Court of Admiralty shall thereupon transmit the Process, together with the said Note, to one of the Principal Clerks of Session, and such Cause shall be inrolled before such Lord Ordinary, and shall thereafter be heard and determined in the same Way as if such Cause had been instituted in the Court of Session in Terms of this Act.

Provision as to other Processes.

XXVI. And be it enacted, That as soon as conveniently may be after the Fifth Day of *October* next after the passing of this Act, all other Processes, Records, and Warrants of Decrees, together with an Inventory

Inventory thereof made by the Admiralty Clerk, which he is hereby required to make, and to make Oath to the Accuracy thereof if required, shall be transmitted to the General Register House at *Edinburgh*.

Sheriff Clerks to act as Clerks to Sheriffs in Maritime Causes.

XXVII. And be it enacted, That the Sheriff Clerks of the several Counties of *Scotland* shall respectively act as Clerks to the Sheriffs in Maritime Causes: Provided always, that neither that Officer, nor any other Person appointed to any Office, or acquiring Right to any Fees or Emoluments in virtue of the Provisions of this Act, shall be entitled to prefer any Claim to Compensation in consequence of the subsequent Abolition of such Office or Fees, or of any Alteration therein.

Procurators in Admiralty Court.

XXVIII. And be it enacted, That it shall and may be lawful for all Persons entitled, before the passing of this Act, to conduct Causes as Procurators before the High Court of Admiralty in *Scotland*, and all such Persons are hereby authorized, during their respective Lives, to conduct, as Agents before the Court of Session, all or any Causes and Proceedings whatsoever which are or may be competently heard and determined in that Court.

As to inferior Admiralty Jurisdiction.

XXIX. And be it enacted, That all inferior Admiralty Jurisdiction, not dependent upon the High Court of Admiralty, shall continue as heretofore, but the Judgments of such Courts shall be subject to Review solely in the Courts of Session and Justiciary respectively: Provided always, that nothing herein contained shall extend or be construed to extend to lessen or take away any Salary or Allowance now payable to the Sheriff Substitute of the District of the Town of *Leith* by the Commissioners of Police of the said Town, but the same shall continue to be paid as heretofore.

Each of the Sheriffdoms of Edinburgh, Haddington, and Linlithgow to constitute a Commissariot.

XXX. And be it enacted, That so much of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Regulation of the Court of the Commissaries of* Edinburgh, *and for altering and regulating the Jurisdiction of inferior Commissaries in* Scotland, as provides that the Sheriffdoms of *Edinburgh*, *Haddington*, and *Linlithgow* shall be the Commissariot of *Edinburgh*, be repealed; and that the Commissariot of *Edinburgh* shall comprehend only the Sheriffdom of *Edinburgh*; and it is hereby provided, that the Sheriffdoms of *Haddington* and *Linlithgow* shall each constitute a Commissariot, and that the whole other Provisions of the said recited Act shall apply to the said Sheriffdoms of *Haddington* and *Linlithgow* in the same Way in all respects as the same apply to the other Sheriffdoms of *Scotland* where the Sheriff is Commissary.

Jurisdiction of Commissary Court of Edinburgh restricted.

XXXI. And be it enacted, That the Commissary Court of *Edinburgh* shall possess and exercise the same and no other Jurisdiction in the Sheriffdom of *Edinburgh* than that possessed and exercised by Sheriffs being Commissaries in other Sheriffdoms of *Scotland*; and that any Jurisdiction of a more extensive Nature heretofore possessed

or exercised by the Commissary Court of *Edinburgh* shall entirely cease, save and except such as may regard the granting of Confirmation of Testaments of Persons dying furth of *Scotland*, having Personal Property in *Scotland*, which Jurisdiction is hereby reserved to the said Court.

Actions of Aliment.

XXXII. And it is further enacted, That Actions of Aliment may be instituted, heard, and determined in any Sheriff Court of *Scotland*.

Consistorial Actions to be instituted in the Court of Session.

XXXIII. And be it enacted, That all Actions of Declarator of Marriage, and of Nullity of Marriage, and all Actions of Declarator of Legitimacy and of Bastardy, and all Actions of Divorce, and all Actions of Separation *a Mensa et Thoro*, shall be competent to be brought and insisted on only before the Court of Session.

Transmission of Consistorial Processes.

XXXIV. And be it enacted, That all such Actions which shall be depending before the Commissary Court at the Commencement of this Act, shall be transmitted to the Lord President of the Court of Session: Provided always, that where a Proof shall have been allowed by the said Court of the Commissaries previously to the Commencement of this Act, such Proof shall be concluded before such Action shall be transmitted as herein directed.

Regulation as to Causes transmitted.

XXXV. And be it enacted, That the Lord President shall remit all Causes so transmitted to such Lord Ordinary as he may think fit for Preparation and Judgment; and the Judgments of the Lords Ordinary, in these and in all other Actions of the same Description instituted in the Court of Session, shall be subject to the Review of the Division of the Court to which the Lord Ordinary may belong, in the same Way as in other Civil Causes.

Regulations in regard to Consistorial Actions.

XXXVI. And be it enacted, That the Lord Ordinary shall in all Actions of Divorce administer the usual Oath of Calumny to the Pursuer; and no Decree or Judgment in favour of the Pursuer shall be pronounced in any of the Consistorial Actions herein-before enumerated, whether Appearance shall or shall not be made for the Defendant, until the Grounds of Action shall be substantiated by sufficient Evidence.

As to Trial of such Causes by Jury.

XXXVII. And be it enacted, That such Causes shall not be appropriate to Trial by Jury, but it shall be competent to either Division of the Court of Session, or to a Lord Ordinary after advising with the Division of the Court to which he belongs, to direct that any such Cause, or any Issue or Issues of Fact connected therewith, be tried by Jury; and it is hereby provided, that in the swearing of Witnesses in Consistorial Causes, the same Oath shall be administered that is in Use in the other Courts of Justice in *Scotland*.

Regulations as to Proofs.

XXXVIII. And be it enacted, That when a Proof in any such Cause shall be directed to be taken by Commission, the Remit to take such Proof shall be made to the Commissary Court of *Edinburgh*,

which Court, or any Judge thereof, shall take such Proofs accordingly, and no Judge thereof shall receive any additional Remuneration on that Account.

Incorporated Solicitors of Edinburgh may conduct Causes before the Court of Session.

XXXIX. And be it enacted, That it shall and may be lawful for the Incorporated Solicitors practising before the Consistorial Court of *Edinburgh* previous to the passing of this Act, and they and each of them are and is hereby authorized and empowered, during their respective Lives, to conduct, as Agent or Agents before the Court of Session, all or any Causes or Proceedings, such as have heretofore been carried on before the Court of the Commissaries of *Edinburgh*, which may hereafter be proceeded in, heard, or determined before the Court of Session.

Agency Fees, &c.

XL. And be it enacted, That Summonses in Maritime and Consistorial Causes instituted in the Court of Session shall be signed by One of the Principal or Depute Clerks of Session, and it shall not be necessary that any such Summons should pass the Signet, or require any Concurrence for the public Interest; and it is provided, that for conducting such Causes in the Court of Session no Agent shall be entitled to a higher Rate of Charge for any Part of such Duty than such as would have been legally exigible for the same Duty in the High Court of Admiralty, or in the Court of the Commissaries of *Edinburgh* respectively, before the passing of this Act; and no Fee or Demand on account of the Fee Fund of the Court of Session, or on account of any Clerk or Officer in that Court, shall be due or exigible in any such Cause.

Offices of the Commissaries abolished.

XLI. And be it enacted, That when Vacancies occur in the Offices of the Judges of the Commissary Court of *Edinburgh*, such Vacancies shall not be filled up, and as soon as Vacancies shall occur in the whole of such Offices, the said Court shall be entirely abolished, and the whole Powers and Jurisdiction, as then competent to the said Court, shall thereupon be transferred to the Sheriff of the County of *Edinburgh*, who shall exercise such Jurisdiction in all respects, and the Provisions of the before-recited Act, passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, shall apply to the Sheriffdom of *Edinburgh*, in the same Way as such Provisions apply to the other Sheriffdoms of *Scotland*; and it is provided, that when, in consequence of Vacancies in the said Offices, the Number of the Commissaries of *Edinburgh* shall be reduced to One, it shall be lawful for His Majesty's Principal Secretary of State for the Home Department to appoint, from Time to Time, such Number of Persons, being Sheriffs Depute of Counties, as he shall think fit, to take Proofs in Consistorial Causes, which Duty the Persons so appointed shall perform, but without Prejudice to the said remaining Commissary also performing the same; and the said Persons shall not receive any Remuneration on account of such Duty from any Party in any such Cause.

Two Barons of the Court of Exchequer to be reduced.

XLII. And be it enacted, That as Vacancies shall occur in the Office of Baron of the Court of Exchequer in *Scotland*, the same shall not

not be filled up until the Number of such Barons shall be reduced, so that the said Court shall consist only of the Lord Chief Baron and of One Baron of Exchequer; and it is hereby provided, that it shall be competent to these Judges, and to either of them, in the Absence of the other, to exercise the whole Jurisdiction and Powers of the Court of Exchequer, any Law or Practice to the contrary notwithstanding: Provided always, that after the Number of the Judges shall be so reduced, it shall be competent to the said Court, when deemed expedient, to require of the Lord President of the Court of Session that One Judge of that Court shall be directed to attend the Court of Exchequer; and on receiving such Requisition, One of the ordinary Judges of the Court of Session shall attend the said Court of Exchequer, and shall have Voice and Vote in all Matters then to be brought before the said Court, in the same Way in all respects as if such Judge were a Baron of the Court of Exchequer.

Judges of Jury Court and Admiralty to continue to receive their Salaries.

XLIII. And be it enacted, That the Lord Chief Commissioner and the other Lords Commissioners of the Jury Court, and the Judge of the High Court of Admiralty in *Scotland*, shall, notwithstanding the Abolition of these several Courts, continue to receive, during their respective Lives, the Salaries payable to them at the Time of the passing of this Act.

Certain Payments on account of Jury Courts to cease.

XLIV. And be it enacted, That the several Sums of Seven thousand Pounds, Two thousand four hundred Pounds, and One thousand two hundred Pounds, authorized by the before recited Acts to be annually paid on account of the Jury Court, shall cease, save and except so much thereof as shall be certified by the Lord President of the Court of Session to be requisite to be applied in defraying the Expences attending the Circuits of such of the Judges of the Court of Session as are not Judges of the Court of Justiciary, and of Clerks and Macers, the Application of which Sum shall be accounted for in the Court of Exchequer in *Scotland*; and it is hereby provided, that the Salaries of the Judges, Clerks, and Macers, hitherto paid from the foresaid Sums, shall be paid, by Order of the said Court of Exchequer, out of the Monies charged or made chargeable by the Acts passed in the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne*, with the Fees, Salaries, and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary, or Exchequer, in *Scotland*.

Payment of Salaries of Judges, &c.

Compensation to be made to Clerks, &c.

XLV. And be it enacted, That it shall and may be lawful for any Clerk or other Officer holding his Office at the passing of this Act, and entitled to Compensation for Loss to be suffered through the Operation and Effect of this Act, to make Application to the Court of Exchequer in *Scotland*, which Court shall direct Intimation thereof to be given to His Majesty's Advocate in behalf of the Public; and thereafter the said Court shall inquire into and consider the Circumstances of the Case, and shall award to every such Person such Compensation as the Court shall think such Persons entitled to, either by the Payment of a gross Sum or by way of Annuity, as the Court shall think proper: Provided always, that every Order made for such Compensation

Compensation shall set forth the Nature of the Office, the Grounds on which Compensation is prayed, and on which the Award may be founded; and that a Copy of every such Order shall be laid before Parliament within Two Calendar Months after the Commencement of the Session next ensuing after making the same; and no such Decision of the said Court shall be final and conclusive until Two Calendar Months after a Copy of the Order of such Court for Compensation shall have been so laid before Parliament; and any Sum of Compensation so to be awarded shall be paid and payable upon the Order of the said Court of Exchequer, in such Manner and at such Time or Times as the Court shall direct, out of the aforesaid Monies charged or made chargeable by the aforesaid Acts passed in the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne*, and every Sum of Compensation shall be clear of all Taxes and Deductions whatsoever.

Orders for Compensation to be laid before Parliament.

XLVI. And be it enacted, That the whole Provisions of this Act, unless where otherwise herein specially provided, shall commence and take effect from and after the Fifth Day of *October* next after the passing of this Act.

Commencement of Act.

SCHEDULE to which this Act refers.

RETURN of the Number of CAUSES instituted and decided in the Court of Session in SCOTLAND, between the 1st Day of January 18 and the 1st Day of January 18 ; shewing the Number of Causes ready for Judgment, but not disposed of at the last of these Dates.

OUTER HOUSE.						
Names of Lords Ordinary.	Number of Causes for the first Time inrolled before each Lord Ordinary.	Number of Decrees in Absence.	Number of Final Judgments pronounced in litigated Causes.	Number of Causes ready for Debate, but not heard; with the Date when the first of these Causes was first inrolled in the Debate Roll.	Number of Causes at Avizandum.	Observations.

INNER HOUSE.						
——	Number of reclaiming Notes presented against Judgment of Lords Ordinary in the Course of the above Year.	Number of incidental and summary Applications presented during the same Period, distinguishing those which have passed as Matters of Form from such as have been followed by Litigation.	Number of Final Judgments pronounced in litigated Causes, without the Intervention of a Jury.	Number of Causes tried by Jury.	Number of Causes ready for Judgment on hearing Counsel or otherwise; with the Date when the first of such Causes was so ready, and distinguishing those to be tried by Jury from such as are not to be so tried.	Observations.
First Division						
Second Division						

A. B., Lord President.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXX.

An Act for the more effectual Administration of Justice in *England* and *Wales*. [23d *July* 1830.]

WHEREAS the Appointment of an additional Puisne Judge to each of His Majesty's superior Courts of Common Law would cause much greater Facility and Dispatch of Business therein: And whereas it is expedient to put an end to the separate Jurisdiction for the County Palatine of *Chester* and the Principality of *Wales*, and to make more effectual Provision for the Administration of Justice in *England* and *Wales*; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever His Majesty shall be pleased to appoint an additional Puisne Judge to either of His Courts of the King's Bench, the Common Pleas, and the Exchequer, the Puisne Judges of such Court shall sit by Rotation in each Term, or otherwise, as they shall agree amongst themselves, so that no greater Number than Three of them shall sit at the same Time in Banc for the Transaction of Business in Term, unless in the Absence of the Lord Chief Justice or Lord Chief Baron; and that it shall and may be lawful for any One of the Judges of either of the said Courts, when Occasion shall so require, while the other Judges of the same Court are sitting in Banc, to sit apart from them for the Business of adding and justifying

Puisne Judges to sit in Rotation; but not less than Three at a Time in Banc.

Special Bail, discharging Insolvent Debtors, administering Oaths, receiving Declarations required by Statute, hearing and deciding upon Matters on Motion, and making Rules and Orders in Causes and Business depending in the Court to which such Judge shall belong, in the same Manner and with the same Force and Validity as may be done by the Court sitting in Banc.

Salaries to additional Judges.

II. And be it further enacted, That from and after the Appointment of any such additional Judge there shall be issued and paid and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, (after paying or reserving sufficient to pay all such Sums as have been directed by any former Act of Parliament to be paid out of the same, but with Preference to all other Payments which shall hereafter be charged upon the same,) the Sum of Five thousand Pounds to such additional Judge as he shall be so appointed, as and for a yearly Salary, to be paid from Time to Time quarterly, free and clear from all Taxes and Deductions whatsoever, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, by equal Portions, the first Payment to be made on the first of such Days respectively as shall occur after the Appointment of the Judge entitled to receive the same; and that if any Person hereafter appointed to such Office shall die, or resign the same, the Executor or Administrator of the Person so dying, or the Person so resigning, shall be entitled to receive such proportionable Part of the Salary aforesaid as shall have accrued during the Time that such Person shall have executed such Office since the last Payment, and that the Successor of any such Person so dying or resigning shall be entitled to receive such Portion of the Salary as shall be accruing or shall accrue from the Day of such Death or Resignation: Provided always, that the Removal of a Puisne Judge from one Court to another shall not be deemed a new Appointment under this Act.

Retirement Allowances to additional Judges.

III. And be it further enacted, That upon the Resignation of any such additional Judge it shall be lawful for His Majesty, by His Letters Patent under the Great Seal of *Great Britain*, to give and grant to the Person so resigning (under and subject to the same Conditions, Limitations, and Restrictions as any Annuity on Resignation can now by Law be granted to any other Judge of the same Court) an Annuity during his Life not exceeding the Sum of Three thousand five hundred Pounds yearly, or such other Sum as shall by any Act hereafter to be made provided for Judges resigning their Offices, to be paid and payable out of and charged upon the Consolidated Fund aforesaid, free and clear of all Taxes and Deductions whatsoever, by even quarterly Payments to be made respectively on the Days aforesaid in each Year.

Additional Judges may sit in London and Westminster.

IV. And be it further enacted, That every Judge of the said Courts, to whatever Court he may belong, shall be and he is hereby accordingly authorized to sit in *London* and *Middlesex* for the Trial of Issues arising in any of the said Courts, and to transact such

Business at Chambers or elsewhere, depending in any of the said Courts, as relates to Matters over which the said Courts have a common Jurisdiction, and as may, according to the Course and Practice of the Court, be transacted by a single Judge.

Repeal of Act 3 G. 4. c. 102.

V. And be it further enacted, That a certain Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal an Act of the First and Second Years of His present Majesty, for facilitating the Dispatch of Business in the Court of King's Bench, and to make further Provision in lieu thereof*, shall be and the same is hereby repealed, except so far as it repeals the said former Act, and except so far as relates to the last Warrant issued by His said late Majesty under the said Act.

Terms altered.

VI. And be it further enacted, That in the Year of our Lord One thousand eight hundred and thirty-one, and afterwards, *Hilary* Term shall begin on the Eleventh and end on the Thirty-first Day of *January*; *Easter* Term shall begin on the Fifteenth Day of *April* and end on the Eighth Day of *May*; *Trinity* Term shall begin on the Twenty-second Day of *May* and end on the Twelfth Day of *June*; and *Michaelmas* Term shall begin on the Second and end on the Twenty-fifth Day of *November*; and that the Essoign and General Return Days of each Term shall, until further Provision be made by Parliament, be as follows; that is to say, the First Essoign or General Return Day for every Term shall be the Fourth Day before the Day of the Commencement of the Term, both Days being included in the Computation; the Second Essoign Day shall be the Fifth Day of the Term; the Third shall be the Fifteenth Day of the Term; and the Fourth and last shall be the Nineteenth Day of the Term, the First Day of the Term being already included in the Computation; with the same relation to the Commencement of each Term as they now bear, and shall be distinguished by the Day of the Term on which they respectively fall, the *Monday* being in all Cases substituted for the *Sunday* when it shall happen that the Day would fall on *Sunday*, except always that in *Easter* Term there shall be but Four Returns instead of Five, the last being omitted; provided that if the whole or any Number of the Days intervening between the *Thursday* before and the *Wednesday* next after *Easter* Day shall fall within *Easter* Term, there shall be no Sittings in Banc on any of such intervening Days, but the Term shall in such Case be prolonged and continue for such Number of Days of Business as shall be equal to the Number of the intervening Days before mentioned exclusive of *Easter* Day, and the Commencement of the ensuing *Trinity* Term shall in such Case be postponed, and its Continuance prolonged for an equal Number of Days of Business.

Limiting the Time for Sittings.

VII. And be it further enacted, That when the Alteration of the Terms herein-before mentioned shall take effect not more than Twenty-four Days, exclusive of *Sundays*, after any *Hilary*, *Trinity*, and *Michaelmas* Term, nor more than Six Days, exclusive of *Sundays*, after any *Easter* Term, to be reckoned consecutively immediately after such Terms, shall be appropriated to Sittings in *London* and *Middlesex*

Middlesex for the Trial of Issues of Fact arising in any of the said Courts; provided that if any Trial at Bar shall be directed by any of the said Courts, it shall be competent to the Judges of such Court to appoint such Day or Days for the Trial thereof as they shall think fit; and the Time so appointed, if in Vacation, shall for the Purpose of such Trial be deemed and taken to be a Part of the preceding Term; provided also, that a Day or Days may be specially appointed, at any Time not being within such Twenty-four Days, for the Trial of any Cause at Nisi Prius, with the Consent of the Parties thereto, their Counsel or Attornies.

Regulation as to Writs of Error.

VIII. And be it further enacted, That Writs of Error upon any Judgment given by any of the said Courts shall hereafter be made returnable only before the Judges, or Judges and Barons, as the Case may be, of the other Two Courts in the Exchequer Chamber, any Law or Statute to the contrary notwithstanding; that a Transcript of the Record only shall be annexed to the Return of the Writ; and the Court of Error, after Errors are duly assigned and Issue in Error joined, shall, at such Time as the Judges shall appoint, either in Term or Vacation, review the Proceedings, and give Judgment as they shall be advised thereon; and such Proceedings and Judgment, as altered or affirmed, shall be entered on the original Record, and such further Proceeding as may be necessary thereon shall be awarded by the Court in which the original Record remains, from which Judgment in Error no Writ of Error shall lie or be had, except the same be made returnable in the High Court of Parliament.

Judgments to be pronounced in all Trials for Felonies upon Record during the Sittings, except as herein is excepted.

IX. And be it further enacted, That upon all Trials for Felonies or Misdemeanors upon any Record of the Court of King's Bench, Judgment may be pronounced during the Sittings or Assizes by the Judge before whom the Verdict shall be taken, as well upon the Person who shall have suffered Judgment by Default or Confession, upon the same Record, as upon those who shall be tried and convicted, whether such Persons be present or not in Court, excepting only where the Prosecution shall be by Information filed by Leave of the Court of King's Bench, or such Cases of Informations filed by His Majesty's Attorney General wherein the Attorney General shall pray that the Judgment may be postponed; and the Judgment so pronounced shall be indorsed upon the Record of Nisi Prius, and afterwards entered upon the Record in Court, and shall be of the same Force and Effect as a Judgment of the Court, unless the Court shall, within Six Days after the Commencement of the ensuing Term, grant a Rule to show Cause why a new Trial should not be had or the Judgment amended; and it shall be lawful for the Judge before whom the Trial shall be had either to issue an immediate Order or Warrant for committing the Defendant in execution, or to respite the Execution of the Judgment, upon such Terms as he shall think fit, until the Sixth Day of the ensuing Term; and in case Imprisonment shall be Part of the Sentence, to order the Period of Imprisonment to commence on the Day on which the Party shall be actually taken to and confined in Prison.

X. And

Attornies of King's Bench or Common Pleas may practise in the Exchequer in like Manner.

X. And be it further enacted, That all Persons admitted or admissible to practise as Attornies in the Courts of King's Bench and Common Pleas shall be admissible in like Manner as Attornies of the Court of Exchequer, and be admitted and allowed to practise there as such, upon Application to the Barons of that Court, without being obliged to employ any Clerk in Court in the Capacity of Attorney of the Court of Exchequer, any Law or Usage to the contrary notwithstanding; and that it shall be lawful for the Barons of the said Court, and they are hereby required, to distinguish by their Rules and Orders the Fees which shall continue to be taken by the Sworn and Side Clerks of the Court for the Duties performed as Officers of the Court, similar to the Duties of the Officers of the other superior Courts, from such Fees and Charges as shall be allowed to be taken by the Attornies so admitted to practise, so that the Amount of such Fees and Charges upon the whole do not exceed the Amount and Rate of such Fees and Charges as are now allowed upon the Taxation of Costs.

Fees of Clerks.

Judges may make Rules for Regulation of Courts.

XI. And be it further enacted, That in all Cases relating to the Practice of any of the Courts of King's Bench, Common Pleas, or Exchequer, in Matters over which the said Courts have a common Jurisdiction, or of or relating to the Practice of the Court of Error before mentioned, it shall be lawful for the Judges of the said Courts jointly, or any Eight or more of them, including the Chiefs of each Court, to make general Rules and Orders for regulating the Proceedings of all the said Courts; which said Rules and Orders so made shall be observed in all the said Courts; and no general Rule or Order respecting such Matters shall be made in any Manner, except as aforesaid.

Justification of Bail before Judge in Chambers.

XII. And be it further enacted, That Bail may be justified before a Judge in Chambers, or in some other convenient Place to be by him appointed, as well in Term as in Vacation, and whether the Defendant be actually in Custody or not.

Jurisdiction of Courts at Westminster extended to Counties Palatine, &c.

XIII. And be it further enacted, That from and after the Commencement of this Act His Majesty's Writ shall be directed and obeyed, and the Jurisdiction of His Majesty's Courts of King's Bench, Common Pleas, and Exchequer respectively, and of the several Judges and Barons thereof, shall extend and be exercised over and within the County of *Chester* and the County of the City of *Chester*, and the several Counties in *Wales*, in like Manner, to the same Extent, and to and for all Intents and Purposes whatsoever as the Jurisdiction of such Courts respectively is now exercised in and over the Counties of *England* not being Counties Palatine, any Statute heretofore passed to the contrary notwithstanding; and that all original Writs to be issued into the said several Counties of *Chester*, City of *Chester*, and *Wales*, shall be issued by the Cursitors for *London* and *Middlesex*, and the Process and Proceedings thereon shall be issued by and transacted with such of the Officers of the several Courts of King's Bench and Common Pleas as shall be named for that Purpose by the Chief Justices of such Courts respectively, each naming for his own Court.

Present Jurisdiction of Counties Palatine and Principality of Wales to cease.

Suits to be transferred.

XIV. And be it further enacted, That all the Power, Authority, and Jurisdiction of His Majesty's Court of Session of the said County Palatine of *Chester*, and of the Judges thereof, and of His Court of Exchequer of the said County Palatine, and of the Chamberlain and Vice Chamberlain thereof, and also of His Judges and Courts of Great Sessions, both in Law and Equity, in the Principality of *Wales*, shall cease and determine at the Commencement of this Act; and that all Suits then depending in any of the said Courts, if in Equity, shall be transferred, with all the Proceedings thereon, to His Majesty's Court of Chancery or Court of Exchequer, as the Plaintiff or (in default of his making Choice before the last Day of next *Michaelmas* Term) as any Defendant shall think fit, and if in Law, to the Court of Exchequer, there to be dealt with and decided according to the Practice of those Courts respectively, or of the Court from whence the same shall be transferred, according to the Discretion of the Court to which the same shall be transferred; which Court shall, for the Purpose of such Suits only, be deemed and taken to have all the Power and Jurisdiction, to all Intents and Purposes, possessed before the passing of this Act by the Court from whence such Suit shall be removed.

Not to affect the Rights of the Corporation of Chester.

XV. Provided always, and be it enacted, That nothing in this Act contained shall be construed to abolish or affect the Obligations and Duties or the Jurisdiction or Rights now lawfully imposed upon, performed, or claimed and exercised by the Mayor and Citizens of *Chester* in the Courts of the County of the City of *Chester* or otherwise, save and except that such Writs of Error or false Judgment as may now by any Charter or Usage of the said Corporation be brought upon the Judgments of the said Courts or any of them before any of the Courts abolished by this Act, shall hereafter be issued, as in other Cases, from inferior Courts, and be returnable into His Majesty's Court of King's Bench.

Attornies of Courts of Great Sessions allowed to practise, on Payment of certain Fees.

XVI. And be it further enacted, That all Persons who on or before the passing of this Act shall have been admitted as Attornies and shall then be practising in any of the Courts of Sessions or Great Sessions in the County Palatine of *Chester* or in *Wales* respectively, shall be entitled, upon the Payment of One Shilling, to have their Names entered upon a Roll to be kept for that Purpose in each of the superior Courts of *Westminster*, and thereupon be allowed to practise in such Courts in all Actions and Suits against Persons residing, at the Commencement of the Suit, within the County of *Chester* or Principality of *Wales*; and that all Persons having served or now actually serving as Clerks to such Attornies under Articles, and who would otherwise be entitled to be admitted as Attornies of the said Courts of Great Sessions, may, on or before the Expiration of Six Months after the passing of this Act, be admitted as Attornies of the said Courts at *Westminster*, for the Purpose of practising there, in the like Matters only, without Payment of any greater Duty than would be now payable by Law upon their Admission as Attornies of such Courts of Great Sessions respectively.

XVII. And

Attornies of Great Sessions may be admitted as Attornies at Westminster.

XVII. And be it further enacted, That all Attornies and Solicitors now actually admitted and practising in any of the said Courts of Sessions or Great Sessions may be admitted as Attornies of the said Courts at *Westminster*, in like Manner as is now or may be hereafter prescribed for the Admission of other Persons as Attornies therein, upon Payment of such Sum for Duty, in addition to the Sum already paid by them in that Behalf, as shall, together with such latter Sum, amount to the full Duty required upon Admission of Attornies in the said Courts at *Westminster;* and that all Persons having served or now actually serving under Articles as Clerks to such Attornies or Solicitors of any of the said Courts of Sessions or Great Sessions, may, at the Expiration of their respective Times of Service, be admitted as Attornies of the said Courts at *Westminster*, in like Manner and upon Payment of the like Duty as if they had served under Articles as Clerks to Attornies of the last-mentioned Courts.

Masters Extraordinary acting in Courts abolished by this Act allowed to exercise same Powers, upon certain Conditions.

XVIII. And be it further enacted, That any Person who shall have been duly appointed a Commissioner for taking Affidavits, or a Master Extraordinary in Chancery of any of the Courts abolished by this Act, shall, upon producing his Appointment before the proper Officer, and upon the Payment of One Shilling, be entitled to have his Name inserted in a List to be kept for that Purpose of such Commissioners or Masters Extraordinary, as the Case may be, and to exercise, within the Limits of his existing Commission or Commissions, the same Power and Authority, and for the same Purposes, as if his Commission had issued from one of His Majesty's Courts at *Westminster*.

Assizes to be held in Chester and Wales.

XIX. And be it further enacted, That from and after the Time herein appointed for the Commencement of this Act Assizes shall be held for the Trial and Dispatch of all Matters, Criminal and Civil, within the County of *Chester* and the several Counties and County Towns in the Principality of *Wales*, under and by virtue of Commissions of Assize, Oyer and Terminer, Gaol Delivery, and other Writs and Commissions, to be issued in like Manner and Form as hath been usual for the Counties in *England;* and all Laws and Statutes now in force relating to the Execution of such Commissions, when issued for Counties in *England*, shall extend and be applied to the Execution of the Commissions issued for the County of *Chester* and the Counties of *Wales* under the Authority of this Act.

Mode of holding Assizes in Chester and Wales until His Majesty shall otherwise direct.

XX. And be it further enacted, That, until it shall be otherwise provided by Law, One of the Two Judges appointed to hold the Sessions of Assizes under His Majesty's Commission within the County of *Chester* and Principality of *Wales* shall, in such Order and at such Times as they shall appoint, proceed to hold such Assizes at the several Places where the same have heretofore been most usually held within *South Wales;* and the other of such Judges shall proceed to hold such Assizes at the several Places where the same have heretofore been most usually held in *North Wales;* and both of such Judges shall hold the Assizes in and for the County of *Chester* in like Manner as in other Counties of *England*.

XXI. And

Regulations as to rendering in Discharge of Bail, Defendant not being in Custody.

XXI. And be it further enacted, That a Defendant, who shall have been held to Bail upon any Mesne Process issued out of any of His Majesty's superior Courts of Record, may be rendered in Discharge of his Bail, either to the Prison of the Court out of which such Process issued, according to the Practice of such Court, or to the Common Gaol of the County in which he was so arrested, and the Render to the County Gaol shall be effected in the Manner following; that is to say, the Defendant, or his Bail, or One of them, shall for the Purpose of such Render obtain an Order of a Judge of One of His Majesty's superior Courts of *Westminster*, and shall lodge such Order with the Gaoler of such County Gaol, and a Notice in Writing of the Lodgment of such Order, and of the Defendant's being actually in Custody of such Gaoler by virtue of such Order, signed by the Defendant, or the Bail, or either of them, or by the Attorney or Agent of any or either of them, shall be delivered to the Plaintiff's Attorney or Agent, and the Sheriff or other Person responsible for the Custody of Debtors in such County Gaol shall, on such Render so perfected, be duly charged with the Custody of such Defendant, and the said Bail shall be thereupon wholly exonerated from Liability as such.

As to rendering in Discharge of Bail, Defendant being already in Custody.

XXII. And be it further enacted, That a Defendant who shall hereafter be in Custody of the Gaoler of the County Gaol of any County in *England* or in the Principality of *Wales*, by virtue of any Proceeding out of any of His Majesty's superior Courts of Record, may be rendered in Discharge of his Bail in any other Action depending in any of the said Courts, in the Manner herein-before provided for a Render in Discharge of Bail; and the Keeper of such Gaol, or such Sheriff or other Person responsible for the Custody of Debtors as aforesaid, shall on such Render be duly charged with the Custody of such Defendant, and the said Bail shall be thereupon wholly exonerated from Liability as such.

Upon Termination of Office of Welsh Judges, their Salaries to be retained, and form Part of Consolidated Fund.

XXIII. And be it further enacted, That the Salaries of the Judges of the County Palatine of *Chester*, and of the Judges of the several Courts of Great Sessions in the Principality of *Wales*, shall, upon the Termination of the said Offices respectively, make Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and a Sum equal to the Amount of each such Salary shall be retained in the Exchequer as Part of the Consolidated Fund, and no Part thereof shall be issued or carried to the Account of the Civil List; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Compensation to Welsh Judges on Abolition of their Offices.

XXIV. And whereas it is expedient that due Provision should be made for the Compensation of the Judges herein-after mentioned, and of other Persons having a Freehold in their Offices in the County of *Chester* or Principality of *Wales*, for the Losses they may sustain by the Abolition of their Offices or Reduction of their Fees by virtue of this Act; be it therefore enacted, That from and after the Commencement of this Act there shall be issued, paid, and payable, out of and charged upon the Consolidated Fund of

the United Kingdom of *Great Britain* and *Ireland*, (after paying or reserving sufficient to pay all former Charges thereon, but in preference to any Charge hereafter to be made,) to *Thomas Jervis* Esquire, now One of His Majesty's Justices of the *Chester* Circuit, the Sum of One thousand and fifteen Pounds Twelve Shillings; to *Jonathan Raine* Esquire, now His Majesty's Chief Justice of the *North Wales* Circuit, the Sum of One thousand Pounds; and to *Robert Matthew Casberd* Esquire, One of His Majesty's Judges of the *Brecon* Circuit, the Sum of One thousand Pounds; the said several Sums to be payable and paid, free and clear from all Taxes and Deductions whatsoever, by even Portions, on the Fifth Days of *January*, *April*, and *July*, and the Tenth Day of *October*, in each Year, the first Payment thereof to commence and be made on the first of such Days as shall occur after the Commencement of this Act; and the said Annuities respectively to continue during the Lives of the Parties respectively entitled to receive the same, or until such Time as they may respectively be appointed by His Majesty to any other Place or Office the Salary or Emoluments of which shall be of equal or greater Amount than the said Annuities respectively, or in case the Salary or Emolument of such Office shall be of less yearly Amount than the Annuity which the Party appointed to such Office is entitled by this Act to receive, then the said Annuity to be abated and reduced in proportion to the Amount of such Salary or Emoluments, so as to make the whole Sum received by the Party equal to, but not exceeding, the Amount of such Annuity.

Compensations to Persons affected by Abolition of the Courts of Wales and Chester.

XXV. And be it further enacted, That there shall in like Manner, after the Commencement of this Act, be issued, paid, and payable out of and charged upon the said Consolidated Fund, (after paying and reserving as aforesaid, and with such Preference as aforesaid,) to the several Persons having a Freehold Interest in such Offices in the County of *Chester* or Principality of *Wales* as shall be abolished or affected by virtue of this Act, free and clear of all Taxes and Deductions whatsoever, such Sums of Money, at such Times, by way of Annuity or otherwise, as shall be adjudged and determined to be due to such Persons respectively by any Commission to be appointed by His Majesty or by virtue of any Act of Parliament, for the Purpose of determining the Amount of the Compensation that ought to be due and payable in such Cases; and that in the meantime and until Compensation shall be awarded and determined in manner aforesaid, or the Time shall have elapsed that may be appointed for claiming the same, it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, to issue their Warrants for the Payment to such Persons as aforesaid, out of the said Consolidated Fund, of such half-yearly or quarterly Allowances as to the said Commissioners shall seem reasonable, both as to the Amount and Times of Payment, on account of such Compensation as may thereafter be awarded to the said Parties respectively.

Persons appointed under certain

XXVI. Provided always, and be it further enacted, That no Person shall be entitled to such Compensation or Allowance as aforesaid, whose

Restrictions, to the Offices about to be abolished, not entitled to Compensation.

whose Appointment to his Office was qualified by any Condition or Reservation expressed in his Patent or otherwise made known to such Person, that such Office or the Emoluments thereof were to be held and enjoyed subject to any future Provision to be made by Parliament touching the same, or without any Claim to Compensation in case the same should cease or be subjected to any Regulation: And provided also, that no Person shall be entitled to receive any such Compensation or Allowance who shall not previously make a full and true Statement to the said Commissioners of His Majesty's Treasury, to be verified on Oath before a Judge or Master in Chancery, if they shall think fit so to direct, of the Amount of the Salary, Fees, and Emoluments of such Office, and of the Disbursements and Outgoings of the same, for the Space of Ten Years before the passing of this Act; and that such Compensation or Allowance shall cease altogether, or be reduced in Amount, as the Case may be, whenever the Party entitled to receive the same shall be placed in any other public Office of which the Salary and Emoluments shall be equal to the Whole or to Part of such Compensation or Allowance, so that in the last-mentioned Case no Person shall be entitled to receive more of such Compensation or Allowance than shall be equal to the Difference between the full Amount thereof and the Amount of the Salary and Emoluments of the Office in which he may be hereafter placed.

Records of the several Courts abolished to be kept as heretofore until otherwise provided for.

XXVII. And be it further enacted, That the Records, Muniments, and Writings of the several Courts abolished by this Act shall, until otherwise provided by Law, be kept by the same Persons and in the same Places as before the passing of this Act; and that the Court of Common Pleas shall have the like Power and Authority to amend the Records of Fines and Recoveries passed heretofore in any of the Courts abolished by this Act, as if the same had been levied, suffered, or had in the Court of Common Pleas: Provided always, that in case of the Death of any such Person before any other Provision shall have been made for keeping such Records, Muniments, and Writings, the Custody thereof shall be with the Clerks of the Peace of the several Counties to which Counties the same shall respectively belong.

Proclamation upon Fines may be made at Assizes in Chester or Wales.

XXVIII. And be it further enacted, That upon all Fines which now are or before the Commencement of this Act shall be duly acknowledged in *Chester* or *Wales*, Proclamation may be made at the successive Assizes to be holden under His Majesty's Commission within the County of *Chester* and Principality of *Wales*, before any Judge of such Assize, during the Continuance of such his Commission, in the same Manner and Form, and with the same Force and Effect, as if the same had been proclaimed before the Justices of *Chester* and *Wales*, or any of them; any Law or Usage to the contrary notwithstanding.

Fines, &c. to be levied in Chester,

XXIX. And be it further enacted, That all Fines and Recoveries to be levied and suffered after the Commencement of this Act, of Lands, Tenements, or Hereditaments in the County of *Chester* or

County of the City of *Chester* or Principality of *Wales*, shall be levied and suffered in such and the like Manner, and the same Officers shall be employed therein, as in the Case of Fines and Recoveries now levied or suffered of Lands, Tenements, or Hereditaments in any County of *England* not being a County Palatine. &c. as in other Counties of England.

XXX. Provided always, and be it further enacted, That nothing in this Act contained shall be taken to affect the Right of any Lessee by Patent under the Crown, or of any Pensioner or other Person lawfully entitled to any Portion of the Money payable upon Fines and Recoveries of Manors, Lands, or Tenements in the County of *Chester* or Principality of *Wales*, but that the same shall be paid and payable by the proper Officer of the Court of Common Pleas who shall receive the same, to such Lessee or other Person, or his Agent, in like Manner and to the same Extent as heretofore, during the Continuance of his Interest therein. Not to affect the Rights of Lessees by Patent before the passing of this Act.

XXXI. And be it further enacted, That in all Cases where any Trust for charitable Uses or of a public Nature shall have been cast upon the Judges of the Courts hereby abolished, by virtue of their Offices, it shall be lawful for the Lord High Chancellor or Keeper of the Seals for the Time being, or for the Judges of Assize upon their Circuits in the County of *Chester* or Principality of *Wales*, to appoint such other Trustee or Trustees as they shall think fit, by any Writing under their Hands, in place of the former Judge or Judges; which Trustee or Trustees so named shall have the same Power and Authority, and be subject to the same Rules and Duties, as the Trustee or Trustees for whom he or they may be substituted. Lord Chancellor may appoint Trustees for charitable Uses in lieu of Judges abolished by this Act.

XXXII. And be it further enacted, That where by any Law, Charter, or Usage any Corporate or other Officer or Person hath been accustomed or ought to take any Oath before any of the Judges or other Officers or in any of the Courts abolished by this Act, such Officer or Person may and shall take the same Oath before any Judge during the Assizes or in open Court at the Quarter Sessions in the County where such Oath was formerly taken, and such Oath being so taken shall have the same Force and Effect to all Intents and Purposes as if taken before any of the Judges or in any of the Courts abolished by this Act. Officers to take the same Oaths before Judges hereby appointed as they did before the Judges of the Courts hereby abolished.

XXXIII. And whereas it is expedient that the Accounts of the Sheriffs of the County of *Chester* and Principality of *Wales* should be passed, as nearly as Circumstances will admit, in the same Manner as heretofore; be it enacted, That the Clerk of Assize, within Ten Days after the Conclusion of the Assizes in the County of *Chester* and in each County in *Wales*, shall make out a Roll containing the Names and Places of Residence of all Persons liable to the Payment of any Fines, Issues, Amercements, Recognizances, Compositions, or other Sums imposed or forfeited during the preceding Assizes, with the Sums set opposite to each Name, and shall forthwith transmit the same to the Sheriff, with an Order upon the Sheriff, signed in the Name of One of the Judges of Assize, directing the Sheriff to cause such For passing Accounts of Sheriffs of County of Chester and Principality of Wales.

such Sums to be levied and recovered from the Parties liable to pay the same, which Order shall be of the same Force and Efficacy, and be returnable to the same Person or Persons, as any Writ or Process heretofore issued to the Sheriff for the like Purpose; and the Sheriff, upon the Receipt thereof, shall proceed to levy the Sums in the said Roll mentioned, and shall be accountable for the same, and all Arrears thereof, in the same Manner, at the same Time, and to the same Officer, and shall pass his Accounts before the same Officer or Officers, as he hath been heretofore accustomed.

Attornies General of County of Chester and Wales to continue until His Majesty shall otherwise appoint.

XXXIV. And be it further enacted, That the several Persons holding and exercising within the several Counties of *Chester* and *Wales* the Office of His Majesty's Attorney General shall, until His Majesty's Pleasure shall be otherwise declared, continue (within their several Places and Counties where they are now entitled to exercise such Office) to have, in Person only, and not by Deputy, the same Rank, Name of Office, and the same Privileges, Fees, and Emoluments, which by any Law or Custom they have hitherto enjoyed and held within their respective Counties, save and except such Fees as would necessarily cease with the Abolition of the Courts and Jurisdictions abolished by this Act.

When Quarter Sessions are to be held.

XXXV. And whereas the General Quarter Sessions of the Peace are now directed to be held in each Year in the First Week after the Eleventh Day of *October*, in the First Week after the *Epiphany*, in the First Week after the Clause of *Easter*, and in the First Week after the Translation of *St. Thomas* the Martyr: And whereas it will be expedient that the Times of holding the General Quarter Sessions of the Peace should be altered in part; be it therefore enacted, That in the Year of our Lord One thousand eight hundred and thirty-one, and afterwards, the Justices of the Peace in every County, Riding, or Division for which Quarter Sessions of the Peace by Law ought to be held, shall hold their General Quarter Sessions of the Peace in the First Week after the Eleventh Day of *October*, in the First Week after the Twenty-eighth Day of *December*, in the First Week after the Thirty-first Day of *March*, and in the First Week after the Twenty-fourth Day of *June*; and that all Acts, Matters, and Things done, performed, and transacted at the Times appointed by this Act for the holding of the General Quarter Sessions of the Peace shall be as valid and binding to all Intents and Purposes as if the same had been done, performed, and transacted at General Quarter Sessions of the Peace holden at the Times by Law limited for the holding thereof before the passing of this Act.

Landlords to recover Possession of Lands, &c. after Notice of Ejectment.

XXXVI. And whereas Landlords, to whom a Right of Entry into or upon any Lands or Hereditaments may accrue during or immediately after *Hilary* and *Trinity* Terms respectively, are at present unable to prosecute Ejectments against their Tenants, so as to try the same at the Assizes immediately ensuing, whereby much Delay is occasioned in the Recovery of the Possession of Lands and Tenements wrongfully withheld by Tenants against their Landlords; be it therefore enacted, That in all Actions of Ejectment hereafter to be brought in any of

His

His Majesty's Courts at *Westminster* by any Landlord against his Tenant, or against any Person claiming through or under such Tenant, for the Recovery of any Lands or Hereditaments where the Tenancy shall expire, or the Right of Entry into or upon such Lands or Hereditaments shall accrue to such Landlord, in or after *Hilary* or *Trinity* Terms respectively, it shall be lawful for the Lessor of the Plaintiff in any such Action, at any Time within Ten Days after such Tenancy shall expire or Right of Entry accrue as aforesaid, to serve a Declaration in Ejectment entitled of the Day next after the Day of the Demise in such Declaration, whether the same shall be in Term or in Vacation, with a Notice thereunto subscribed, requiring the Tenant or Tenants in Possession to appear and plead thereto within Ten Days in the Court in which such Action may be brought; and Proceedings shall be had on such Declaration, and Rules to plead entered and given, in such and the same Manner, as nearly as may be, as if such Declaration had been duly served before the preceding Term: Provided always, that no Judgment shall be signed against the casual Ejector until Default of Appearance and Plea within such Ten Days, and that at least Six clear Days Notice of Trial shall be given to the Defendant before the Commission Day of the Assizes at which such Ejectment is intended to be tried; provided also, that any Defendant in such Action may, at any Time before the Trial thereof, apply to a Judge of either of His Majesty's superior Courts at *Westminster*, by Summons in the usual Manner, for Time to plead, or for staying or setting aside the Proceedings, or for postponing the Trial until the next Assizes; and that it shall be lawful for the Judge in his Discretion to make such Order in the said Cause as to him shall seem expedient.

Declaration to be entitled specially.

XXXVII. And be it further enacted, That in making up the Record of the Proceedings on any such Declaration in Ejectment it shall be lawful to entitle such Declaration specially of the Day next after the Day of the Demise therein, whether such Day shall be in Term or in Vacation, and no Judgment thereupon shall be avoided or reversed by reason only of such special Title.

Writ of Possession may issue on Certificate of Judge, &c.

XXXVIII. And be it further enacted, That in all Cases of Trials of Ejectments at Nisi Prius, when a Verdict shall be given for the Plaintiff, or the Plaintiff shall be nonsuited for Want of the Defendant's Appearance to confess Lease, Entry, or Ouster, it shall be lawful for the Judge before whom the Cause shall be tried to certify his Opinion on the Back of the Record that a Writ of Possession ought to issue immediately, and upon such Certificate a Writ of Possession may be issued forthwith; and the Costs may be taxed, and Judgment signed and executed afterwards at the usual Time, as if no such Writ had issued: Provided always, that such Writ, instead of reciting a Recovery by Judgment in the Form now in use, shall recite shortly that the Cause came on for Trial at Nisi Prius at such a Time and Place and before such a Judge, (naming the Time, Place, and Judge,) and that thereupon the said Judge certified his Opinion that a Writ of Possession ought to issue immediately.

 XXXIX. And

Commencement of Act.

XXXIX. And be it enacted, That this Act shall, as to all Matters not otherwise provided for, commence and take effect upon and from the Twelfth Day of *October* in this present Year.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXXI.

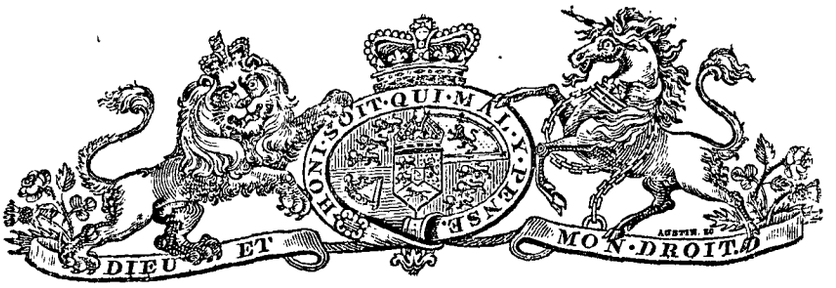
An Act for correcting mistaken References to Acts of His late Majesty in Acts passed during the present Session of Parliament. [23d *July* 1830.]

WHEREAS several Acts were agreed upon by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, during the Reign of His late Majesty King *George* the Fourth, of blessed Memory, and did not receive the Royal Assent until after the Demise of His late Majesty: And whereas in some of such Acts there are Recitals, References, and Enactments which in Words refer to Acts of His present Majesty's Reign, which Recitals, References, and Enactments were correct and proper with Reference to the Time when the said Acts were agreed upon by both Houses of Parliament, although they have become incorrect with Reference to the Time at which they have received the Royal Assent: And whereas it is expedient to guard against any Doubt which may arise in consequence of such incorrect References: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Act of Parliament which has passed in this present Session of Parliament, in which any Act of Parliament actually passed in the Reign of His late Majesty shall be referred to, either by way of Recital, Enactment, or otherwise, as an Act of His present Majesty's Reign, shall be deemed, construed, and taken as referring to every such last-mentioned Act of

Mistaken References not to invalidate any Acts of the present Session.

of Parliament accurately and correctly as of the Reign of His late Majesty; and no such mistaken or inaccurate Reference shall in anywise impeach, affect, or invalidate any Act of Parliament passed in this present Session of Parliament, or any Clause or Provision thereof.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXXII.

An Act to allow, before the Fifth Day of *July* One thousand eight hundred and thirty-one, Sugar to be delivered out of Warehouse to be refined.

[23d *July* 1830.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to allow Sugar to be delivered out of Warehouse to be refined*: And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act to continue, until the Fifth Day of* July *One thousand eight hundred and thirty, the Provisions of an Act to allow Sugar to be delivered out of Warehouse to be refined:* And whereas it is expedient to continue and amend the said first-recited Act; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Application of any Person actually carrying on the Business of a Sugar Refiner in the Ports of *London*, *Liverpool*, *Bristol*, or *Glasgow*, and having Two Pans at least at work upon the same Premises, it shall be lawful for the Officers of the Customs at those Ports respectively, at any Time before the Fifth Day of *July* One thousand eight hundred and thirty-one, to deliver to such Person any Quantity of Foreign Sugar, or of Sugar the Produce of the *East Indies*, not exceeding the Quantity specified in

9 G. 4. c. 93.

10 G. 4. c. 39.

Foreign Sugar may be delivered to be refined until July 1831, on Payment of the Duties herein mentioned.

in the said first-recited Act, to be by him refined, under the Regulations, and upon the Conditions, and in the Manner in the said first-recited Act directed, upon Payment of the following Duties, in lieu of the Duties specified in the said Act; (that is to say,)

DUTIES on SUGAR delivered to be refined.

	£	s.	d.
Brown or Muscovado or Clayed Sugar, not being of greater Value than the Average Price of Sugar of the *British* Plantations in *America*, the Cwt. - - - - - - - - - and further, in respect of every Shilling by which such Sugar shall be of greater Value than such Average Price, the Cwt. - - - - -	1	4	0
	0	0	6

And all and every the Clauses, Powers, and Provisions, Pains, Penalties, and Forfeitures, Matters and Things, contained in the said first-recited Act, shall extend to this Act, in as full and ample a Manner, to all Intents, Constructions, and Purposes, as if the same had been repeated and re-enacted in the Body of this Act, and had made Part thereof.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXXIII.

An Act to repeal so much of an Act of the Sixtieth Year of His late Majesty King *George* the Third, for the more effectual Prevention and Punishment of blasphemous and seditious Libels, as relates to the Sentence of Banishment for the Second Offence; and to provide some further Remedy against the Abuse of publishing Libels.

[23d *July* 1830.]

WHEREAS by an Act passed in the Sixtieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Prevention and Punishment of blasphemous and seditious Libels*, it was amongst other things enacted, that if any Person should, after the passing of that Act, be legally convicted of having composed, printed, or published any blasphemous Libel or any such seditious Libel as in the said Act is before mentioned, and should after being so convicted offend a Second Time, and be thereof legally convicted before any Commission of Oyer and Terminer or Gaol Delivery, or in His Majesty's Court of King's Bench, such Person might on such Second Conviction be adjudged, at the Discretion of the Court, either to suffer such Punishment as might by Law be inflicted in Cases of high Misdemeanor, or to be banished from the United Kingdom and all other 60 G. 3. c. 8.

Parts of His Majesty's Dominions for such Term of Years as the Court in which such Conviction should take place should order: And whereas it is expedient to repeal so much of the said Act as relates to the Sentence of Banishment for the Second Offence; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such Parts of the said Act as relate to the Sentence of Banishment for the Second Offence be and the same are hereby wholly repealed.

Punishment of Banishment repealed.

Amount of Bonds to be given by Persons publishing Newspapers, &c. under 60 G. 3. c. 9. increased.

II. And whereas by a certain other Act passed in the Sixtieth Year of His late Majesty King *George* the Third, intituled *An Act to subject certain Publications to the Duties of Stamps upon Newspapers, and to make other Regulations for restraining the Abuses arising from the Publication of blasphemous and seditious Libels*, certain Provisions were made for preventing any Person from publishing any Newspaper or Pamphlet, or other Paper of the Description therein mentioned, without first entering into a Recognizance or giving a Bond, with Sureties, in Manner and to the Amount therein specified, for securing the Payment of Fines upon Convictions for Libels: And whereas it is expedient to increase the Amount of such Recognizances and Bonds, and to extend the same, for the Purpose of securing the Payment of Damages and Costs that may be incurred by Actions at Law for Libels published in such Newspapers, Pamphlets, or other Papers as aforesaid; be it therefore enacted, That the Amount of such Recognizances and Bonds, in all Cases whenever it shall be hereafter necessary, according to the Provisions of the said Act, to enter into any new Recognizance or Bond, shall be extended to the Sum of Four hundred Pounds for the Principal, and the like Sum for the Sureties, in any such new Recognizances, and to the Sum of Three hundred Pounds for the Principal, and the like Sum for the Sureties, in any such new Bond; and that the Conditions of such new Recognizances and Bonds respectively shall extend to secure the Payment of Damages and Costs to be recovered in Actions for Libels published in such Newspapers, Pamphlets, or other Papers, as well as to secure the Payment of Fines to His Majesty upon such Convictions as aforesaid; and that all the Clauses and Provisions in the said last-mentioned Act contained, relating to the Recognizances and Bonds therein mentioned, shall be applicable and extend to such new Recognizances and Bonds as are herein directed to be taken and made.

Damages due to any Plaintiff in any Action for Libel may be recovered upon such Bond.

III. And be it further enacted, That if any Plaintiff, in any Action for Libel against any Editor, Conductor, or Proprietor of such Newspaper, Pamphlet, or other Paper as aforesaid, shall make it appear by Affidavit to His Majesty's Court of Exchequer that he is entitled to have Execution against the Defendant upon any Judgment in such Action, but that he has not been able to procure Satisfaction by Writ of Execution against the Goods and Chattels of such Defendant, it shall be lawful for the said Court, for the Benefit of such Plaintiff, to order and direct such Proceedings to be had and taken upon such Recognizances or Bonds respectively as would

would be taken to obtain any Fines or Penalties due to His Majesty secured by such Recognizance and Bond: Provided always, that the Expence of such Proceedings shall be exclusively borne by such Plaintiff as aforesaid.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXXIV.

An Act to prevent Bribery and Corruption in the Election of Burgesses to serve in Parliament for the Borough of *East Retford*. [23d *July* 1830.]

WHEREAS there has been the most notorious, long continued, and general Corruption in the Election of Burgesses to serve in Parliament for the Borough of *East Retford* in the County of *Nottingham*: And whereas such Bribery and Corruption is likely to continue and be practised in the said Borough in future, unless some Means are taken to prevent the same: In order, therefore, to prevent such unlawful Practices for the future, and that the said Borough may from henceforth be duly represented in Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from henceforth it shall and may be lawful to and for every Freeholder, being above the Age of Twenty-one Years, who shall have, within the Hundred of *Bassetlaw* in the County of *Nottingham*, or in any Place or Places locally situate within the outside Boundary or Limit of the said Hundred of *Bassetlaw*, or surrounded by such Boundary and any Part of the County of *York* or County of *Lincoln*, a Freehold of the clear yearly Value of Forty Shillings, to give his Vote at every Election of a Burgess or Burgesses to serve in Parliament for the said Borough of *East Retford*: Provided always, that all Places

Freeholders of Bassetlaw to vote at Elections for East Retford.

locally situate within the external Boundary or Limit of the said Hundred of *Bassetlaw*, or surrounded by such Boundary, and by any Part of the County of *York* or County of *Lincoln*, shall be deemed and taken to be Part of the said Hundred for the Purposes of this Act.

Right of Election.

II. And be it further enacted, That the Right of Election of a Member or Members to serve in Parliament for the said Borough of *East Retford* shall be and is hereby declared to be in such Freeholders as aforesaid, and in the Persons who, by the Custom and Usage of the said Borough, have or shall hereafter have a Right to vote at such Election, (excepting always Persons who may have been made Freemen by Redemption since the last Return of Burgesses to serve in Parliament, and Persons who may hereafter be made Freemen by Redemption;) and the proper Officer for the Time being, to whom the Return of every Writ or Precept does belong, is hereby required to return the Person or Persons to serve in Parliament for the said Borough who shall have the major Number of Votes of such Freeholders and other Persons having a Right to vote at such Election, any Law or Usage to the contrary notwithstanding: Provided always, that such Freeholders only shall be entitled to vote as shall be duly qualified to vote at Elections for Knights of the Shire for the said County of *Nottingham* according to the Laws now in being for regulating County Elections.

Freeholder's Oath.

III. And be it further enacted, That every such Freeholder, before he is admitted to poll at any Election for the said Borough, shall, if required by the Candidates, or any of them, or any other Person having a Right to vote at the said Election, first take the Oath, or, being One of the People called *Quakers*, the solemn Affirmation following; *videlicet*,

'I *A. B.* do swear [*or, being a Quaker*, do solemnly affirm], That I 'am a Freeholder in the Hundred of *Bassetlaw* in the County of 'Nottingham, or in a Place thereunto annexed for the Purposes of an 'Act of Parliament made in the Eleventh Year of the Reign of His 'Majesty King *George* the Fourth, intituled [*here set forth the Title 'of this Act*], and have a Freehold Estate consisting of

'[*specifying the Nature thereof, and if it 'consists in Messuages, Lands, Tenements, or Tithes, in whose Occu-'pation the same are, and if in Rent Charge, the Names of the Owners 'or Possessors of the Tenements out of which such Rent is issuing, or 'of some of them*], situate, lying, or being at

'in the Hundred of *Bassetlaw*, or in some Place or Places annexed 'thereunto for the Purposes of the said Act, of the clear yearly Value 'of Forty Shillings, over and above all Rents and Charges payable 'out of or in respect of the same; and that I have been in the actual 'Possession or Receipt of the Rents and Profits thereof for my own 'Use above Twelve Calendar Months, [*or* that the same came to 'me within the Time aforesaid by Descent, Marriage, Marriage 'Settlement, Devise, or Promotion to a Benefice in a Church, or by 'Promotion to an Office,] and that such Freehold Estate has not

'been granted or made over to me fraudulently on purpose to 'qualify me to give my Vote; and that the Place of my Abode is 'at in and that I am 'Twenty-one Years of Age, as I believe; and that I have not been 'polled before at this Election.'

Which Oath or solemn Affirmation the proper Officer to whom the Return of any Writ or Precept for such Election shall belong is hereby empowered and required to administer; and in case any Freeholder or other Person taking the said Oath or Affirmation hereby appointed shall thereby commit wilful Perjury, and shall be thereof convicted, or if any Person shall unlawfully and corruptly procure or suborn any Freeholder or other Person to take the said Oath or Affirmation in order to be polled, whereby he shall commit such wilful Perjury, and shall be thereof convicted, he and they for every such Offence respectively shall incur such Penalties as are by Law inflicted on Persons guilty of Perjury or Subornation of Perjury. Punishment for Perjury.

IV. And be it further enacted, That such proper Officer to whom any Writ or Precept shall be directed for making any Election for the said Borough shall, upon the Receipt of such Writ or Precept, indorse upon the Back thereof the Day of his Receipt thereof, in the Presence of the Party from whom he received such Precept, and shall forthwith cause public Notice to be given within the said Borough of *East Retford*, and the several Towns of *Worksop*, *Tuxford*, and *Ollerton*, by affixing up a Notice thereof, and of the Day of Election, in Writing, on the Market Houses, or on the Doors of the Churches in the said Towns, and shall proceed to Election thereupon within the Space of Twelve Days, and not less than Eight Days, after his Receipt of the said Precept. Duty of returning Officer upon Receipt of the Writ.

V. And be it further enacted, That this Act shall be publicly read at every Election for the said Borough of *East Retford*, immediately after the Acts directed by any Act of Parliament to be read thereat, and before the Persons present shall proceed to make such Election. Act to be read at Elections.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. LXXV.

An Act for the Relief of the Sufferers by the Insolvency of *Gilbert Ricketts* Esquire, formerly Registrar of the Supreme Court of Judicature at *Madras*. [23d *July* 1830.]

WHEREAS *Gilbert Ricketts* Esquire, deceased, late Registrar of the Supreme Court of Judicature at *Madras* in the *East Indies*, was, as such Registrar, empowered by an Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, intituled *An Act for establishing further Regulations for the Government of the* British *Territories in* India, *and the better Administration of Justice within the same*, to administer to all *British* Subjects dying intestate within the Presidency of *Madras*; and the said Court was thereby directed to grant such Letters of Administration to the Registrar of the Court; and accordingly the said *Gilbert Ricketts* did obtain from Time to Time Administrations out of the said Court to several Persons who had died intestate within the said Presidency of *Madras*, and as such Administrator collected their Estates and Effects: And whereas the said *Gilbert Ricketts* got into his Hands and Possession, as such Registrar, certain Sums of Money ordered by the said Court to be paid into Court by the Suitors thereof, and afterwards died insolvent on or about the Fourth Day of *December* One thousand eight hundred and seventeen, without having lodged in the Treasury at *Madras* the Monies and Effects he had so as aforesaid received on account of the Estates of Intestates and from the Suitors of the said Court; by reason whereof

39 & 40 G. 3. c. 79.

whereof those Persons representing the said Intestates, and lawfully entitled to their Estates, as well as the Suitors of the said Court, have suffered great Loss and Damage in this respect: And whereas, in order to know the State and Particulars of the Deficiency of the said *Gilbert Ricketts* in respect of the Estates of Intestates, and the Monies paid in by the Suitors of the Court, that came to his Hands, the Honourable the Judges of the said Court, Sir *John Newbolt* and Sir *Edmond Stanley*, made an Order, bearing Date the Fifteenth Day of *December* One thousand eight hundred and seventeen, whereby it was referred to Mister *John Shaw* the then Registrar of the said Court, Mister *George Garrow* the Accountant General, Sir *Samuel Toller* Knight, Advocate General, Mister *Henry Byne* Barrister at Law, and Mister *Robert Orme*, Company's Solicitor, as a Committee or Commissioners to inquire into and report upon the Accounts of the then late Registrar Mister *Gilbert Ricketts*, relative to the Suitors Money and the Estates of deceased Persons which came to his Hands: And whereas the Survivors of the said Commissioners made their Report to the Court, bearing Date the Twenty-ninth Day of *July* One thousand eight hundred and twenty, whereby they reported, that in respect to the Estates of Intestates that came to the Hands of the said *Gilbert Ricketts* there was a Deficiency of Pagodas One hundred and twenty-three thousand one hundred and five and thirty-seven Fanams, making in *British* Sterling Money, at the Rate of Eight Shillings to the Pagoda, Forty-nine thousand two hundred and forty-two Pounds, and in that of the Suitors a Deficiency of Pagodas One thousand six hundred and sixty-two, making in *British* Sterling, at the Rate aforesaid, Six hundred and sixty-four Pounds and sixteen Shillings; the Particulars whereof, and the Estates and Suitors to whom due, are set out in the Schedules to the said Report annexed, and forming Part thereof, marked (A.) (B.) (C.) and (D.): And whereas, upon the aforesaid Commissioners having made the aforesaid Report of the Twenty-ninth Day of *July* One thousand eight hundred and twenty, to the said Court at *Madras*, in pursuance of the Order of the said Court of the Fifteenth Day of *December* One thousand eight hundred and seventeen, the Honourable the Judges of the said Court transmitted the same, on the Thirtieth Day of *August* One thousand eight hundred and twenty, to the Governor in Council at *Madras*, stating that Mister *Ricketts* died insolvent, and that there was no Fund applicable to the Discharge of the Balances reported due, and recommended it as highly important to public Justice that some Fund should be provided for the Discharge of such Claims: And whereas it is expedient that Provision shall be made for Payment to such Persons as shall appear entitled thereto of the several Sums so lost by the Malversation of the said *Gilbert Ricketts*; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Court of Directors of the United Company of Merchants of *England* trading to the *East Indies*, and the said Court of Directors is hereby authorized, empowered, and required, to appropriate so much of the Territorial Revenues of the said United Company as will be sufficient to pay off and discharge to such Persons as shall appear to be

Court of Directors of the East India Company to appropriate a Part of their Territorial Revenues to

entitled thereto, as the lawful Representatives of the Intestates named in the Schedule annexed to the said Report of the Twenty-ninth Day of *July* One thousand eight hundred and twenty, marked (D.), and also to the Suitors of the said Court named in the Schedules annexed to the said Report of the Twenty-ninth Day of *July* One thousand eight hundred and twenty, marked respectively (A.) (B.) and (C.), or to the lawful Representatives of such of the said Suitors who have since deceased, and shall appear to be entitled thereto, the several and respective Principal Sums of Money set forth and specified in the said Schedules respectively as due to the Estates of the Intestates and the Suitors therein respectively named.

discharge the Sums due to the Estates of certain Intestates and Suitors in the Supreme Court of Judicature at Madras.

II. And be it further enacted, That the said Court of Directors shall, as soon as reasonably may be after the passing of this Act, send out Instructions to the Governor and Council at *Madras*, directing that the said Governor and Council shall, upon Demand being made by or on behalf of any such Persons lawfully qualified and entitled thereto, pay out of the said Territorial Revenues of the said Company to such Person or Persons, or to their lawfully constituted Attornies, as soon as reasonably may be, the Principal Sums mentioned in the said several Schedules to the said Report of the Twenty-ninth Day of *July* One thousand eight hundred and twenty annexed.

The Court of Directors to send out Instructions for the Payment of the Sums hereby required;

III. Provided always, and be it further enacted, That it shall be lawful for the said Court of Directors, if they shall see fit, to make any such Payments in this Country to any Persons who shall appear entitled thereto, and at such Rate of Exchange as shall be mutually agreed upon between the said Court and such Persons respectively.

or the same may be made in this Country.

IV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES,

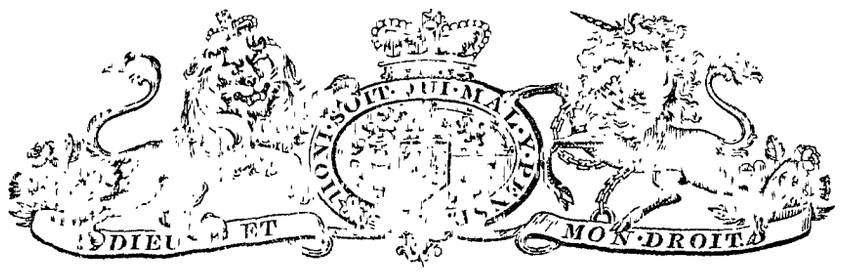
PASSED IN THE

First Year

OF THE REIGN OF HIS MAJESTY

KING WILLIAM the FOURTH:

Being the FIRST SESSION of the NINTH PARLIAMENT
of the United Kingdom of *Great Britain* and *Ireland.*



LONDON:

Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty.

1831.

A

TABLE

OF

All the STATUTES passed in the FIRST Session of the NINTH Parliament of the United Kingdom of *Great Britain* and *Ireland*.

1° *GUL.* IV.

PUBLIC GENERAL ACTS.

I. AN Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty. 3

II. An Act to provide for the Administration of the Government in case the Crown should descend to Her Royal Highness the Princess *Alexandrina Victoria*, Daughter of His late Royal Highness the Duke of *Kent*, being under the Age of Eighteen Years, and for the Care and Guardianship of Her Person. 9

III. An Act to amend an Act of the last Session, for the better Administration of Justice, so far as relates to the Essoign and General Return Days of each Term, and to substitute other Provisions in lieu thereof; and to declare the Law with regard to the Duration of the Terms in certain Cases. 17

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO REGNI

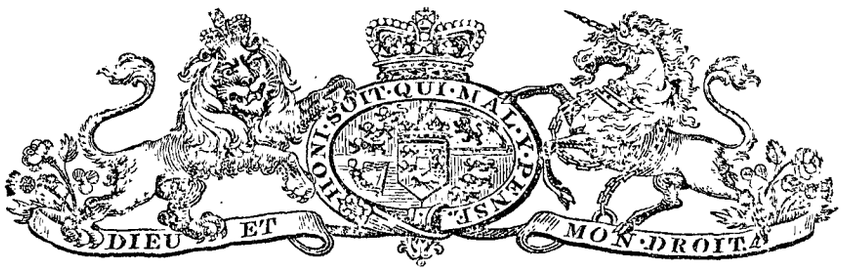
GULIELMI IV.

Britanniarum Regis,

PRIMO.

At the Parliament begun and holden at *Westminster*, the Twenty-sixth Day of *October*, *Anno Domini* 1830, in the First Year of the Reign of our Sovereign Lord WILLIAM the Fourth, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of the Faith:

Being the FIRST SESSION of the NINTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland*.



LONDON:

Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. I.

An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty.

[10th *December* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, the Sum of Three Millions, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them,

There shall be applied, for the Service of the Year 1830, 3,000,000*l.* out of the Consolidated Fund.

or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 3,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or the like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said Majesty, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear an Interest not exceeding $3\frac{1}{2}$*d.* per Cent. per Diem;

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed, as so much Cash, in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash; any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash, according to the Course of the Receipt of the Exchequer at

Westminster, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Bank of England may advance 3,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, and for securing certain Recompences*

and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France, or in any other Act or Acts, to the contrary thereof notwithstanding.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.
10

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. II.

An Act to provide for the Administration of the Government in case the Crown should descend to Her Royal Highness the Princess *Alexandrina Victoria*, Daughter of His late Royal Highness the Duke of *Kent*, being under the Age of Eighteen Years, and for the Care and Guardianship of Her Person. [23d *December* 1830.]

Most Gracious Sovereign,

WHEREAS Your Majesty, impelled by the deep Solicitude which Your Majesty feels for the Welfare of Your People, was graciously pleased to recommend from the Throne to both Houses of Parliament that they should take into their immediate Consideration the Provisions which it might be advisable to make for the Exercise of the Royal Authority in case it should please Almighty God to terminate Your Majesty's Life (for the long Continuance of which we offer up our most fervent Prayers to Heaven) before Your Majesty's Successor should have arrived at Years of Maturity, and that Your Majesty would be prepared to concur with Your Two Houses of Parliament in the Adoption of those Measures which might appear best calculated to maintain unimpaired the Stability and Dignity of Your Crown, and thereby to strengthen the Securities by which the Civil and Religious Liberties of Your Majesty's

People are guarded: And whereas in return for this paternal Goodness, with the most cordial Sense of Duty and Gratitude to Your Majesty for the tender Concern and Regard so uniformly and now more especially demonstrated for the Happiness of Your People, and for the Security of their Civil and Religious Liberties, we have taken this important Business into our Consideration, and, being thoroughly convinced of the Wisdom and Expediency of what Your Majesty has thought fit to recommend, are firmly and zealously determined to contribute every thing in our Power upon this Occasion to maintain unimpaired the Stability and Dignity of Your Majesty's Crown, and to confirm the Securities which guard our Civil and Religious Liberties: We therefore, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at the Demise of His present Majesty (whom God long preserve) there shall be no Issue of His said Majesty then living born of Her present Majesty, and Her Royal Highness the Princess *Alexandrina Victoria* shall be then living, and under the Age of Eighteen Years, Her Royal Highness *Victoria Maria Louisa* Duchess of *Kent* shall be the Guardian, and have the Care, Tuition, and Education of the Person of Her said Royal Highness the Princess *Alexandrina Victoria*, until Her said Royal Highness the Princess *Alexandrina Victoria* shall attain the Age of Eighteen Years, and shall, till such Age, have the Disposition, Ordering, and Management of all Matters and Things relating thereto; and Her said Royal Highness the Duchess of *Kent* shall, during such Minority, but no longer, have full Power and Authority, in the Name of Her said Royal Highness the Princess *Alexandrina Victoria*, and in Her Stead, and under the Style and Title of Regent of the United Kingdom of *Great Britain* and *Ireland*, to exercise and administer, according to the Laws and Constitution thereof, the Regal Power and Government of this Realm, and all the Dominions, Countries, and Territories to the Crown of the said United Kingdom belonging, and shall use, execute, and perform all Prerogatives, Authorities, and Acts of Government which belong to the King or Queen of this Realm to use, execute, or perform, according to the Laws thereof, but in such Manner, and subject to such Conditions, Restrictions, Limitations, and Regulations, as are herein-after for that Purpose specified, mentioned, and contained: Provided always, that if, after the Demise of His said Majesty, a Child of His said Majesty should be born of Her said Majesty, all the Power and Authority by this Act given and granted to Her said Royal Highness the Duchess of *Kent* shall, upon the Birth of such Child, cease and determine.

The Duchess of Kent to be the Guardian of the Princess Alexandrina Victoria until of Age, if at the Demise of His Majesty there shall be no living Issue of Her present Majesty; and during such Minority to exercise the Regal Power and Government.

Proviso, if a Child of His Majesty should be born after His Demise.

II. And be it further enacted, That if at the Demise of His said Majesty, leaving Her said Majesty Him surviving, there shall not be any Child of His said Majesty then living born of Her said Majesty, and Her Royal Highness the Princess *Alexandrina Victoria* shall be then living, the Privy Council shall forthwith cause Her said

If there shall not be any Child living born of Her Majesty, the Privy Council to cause Her

Royal Highness the Princess *Alexandrina Victoria* to be openly and solemnly proclaimed as Sovereign of this Realm, in such Manner and Form as the preceding Kings and Queens respectively have been usually proclaimed after the Demise of their respective Predecessors, but subject to and saving the Rights of any Issue of His said Majesty which may afterwards be born of Her said Majesty; and in every Case in which by Law an Oath or Declaration or Assurance of Allegiance to the Sovereign, or asserting the Title of the Sovereign, is required to be taken, made, or subscribed, there shall be added to such Oath, Declaration, and Assurance the Words following — "Saving the Rights of any Issue of His late Majesty King *William* the Fourth which may be born of His late Majesty's Consort;" which Addition shall be continued until Parliament shall otherwise order.

Royal Highness Alexandrina Victoria to be proclaimed as Sovereign; but subject to and saving the Rights of any Issue of His Majesty William IV.

III. And be it further enacted by the Authority aforesaid, That if at the Demise of His said Majesty there shall not be any Child of His said Majesty then living born of Her said Majesty, and Her said Majesty shall survive His said Majesty, and a Child of His said Majesty shall after the Death of His said Majesty be born of Her said Majesty, in such Case Her said Majesty shall be the Guardian, and have the Care, Tuition, and Education of the Person of such Child, until such Child shall attain the Age of Eighteen Years, and shall, till such Age, have the Disposition, Ordering, and Management of all Matters and Things relating thereto; and Her said Majesty shall, during such Minority and no longer, have full Power and Authority, in the Name of such Child, and in his or her Stead, and under the Style and Title of Regent of the United Kingdom of *Great Britain* and *Ireland*, to exercise and administer, according to the Laws and Constitution thereof, the Regal Power and Government of this Realm, and all the Dominions, Countries, and Territories to the Crown thereof belonging; and shall use, execute, and perform all Prerogatives, Authorities, and Acts of Government and Administration of Government which belong to the King or Queen of this Realm to use, execute, and perform, according to the Laws thereof, but in such Manner, and subject to such Conditions, Restrictions, Limitations, and Regulations, as are herein-after for that Purpose specified, mentioned, and contained.

If at the Death of His Majesty there shall not be any Child living, and a Child shall afterwards be born, Her Majesty shall be the Guardian during its Minority; and shall exercise the Regal Power and Government of the Kingdom.

IV. And be it further enacted by the Authority aforesaid, That the Privy Council shall, upon the Birth of such Child, without Delay, cause such Child, as the Successor entitled to the Crown of these Realms, to be openly and solemnly proclaimed, in such Manner and Form as the Kings and Queens have been usually proclaimed after the Demise of their respective Predecessors.

The Privy Council to cause such Child to be proclaimed as Successor to the Crown.

V. And be it further enacted by the Authority aforesaid, That upon the Birth of such Child the Two Houses of Parliament shall forthwith assemble, and all the Laws and Regulations now in force in regard to the Meeting, the Sitting, the Continuance, the Prorogation, and the Dissolution of Parliament, and to the Continuance of the Privy Council, and of Persons in their Offices, Places, and Employments, upon

In case of the Birth of such Child the Houses of Parliament shall meet, and the Laws regarding the

same on the Demise of the Crown shall apply.

upon the Demise of the Crown and the Accession of the Successor, shall be deemed and taken to apply to the Succession of such Child, in the same Manner as if such Child had succeeded to the Crown upon the Demise of Her Royal Highness the Princess *Alexandrina Victoria*, and as Her Heir.

All Acts of Regal Power executed during such Regency without the Consent of the Regent declared null and void.

VI. And be it further enacted by the Authority aforesaid, That all Acts of Regal Power, Prerogative, Government, or Administration of Government, of what Nature or Kind soever, which shall be done or executed during the Regency established by this Act, otherwise than by and with the Consent and Authority of the said Regent for the Time being, in the Manner and according to the Directions of this Act set forth and prescribed, shall be absolutely null and void to all Intents and Purposes.

The Regent to take the following Oaths:

VII. And be it further enacted by the Authority aforesaid, That the Regent, before She shall act or enter upon Her said Office of Regent, or within One Calendar Month after, shall take the following Oaths; (that is to say,)

'I *A.B.* do solemnly promise and swear, That I will truly and faithfully execute the Office of Regent of the United Kingdom of *Great Britain* and *Ireland*, according to an Act of Parliament made in the First Year of His Majesty King *William* the Fourth, intituled *An Act to provide for the Administration of the Government in case the Crown should descend to Her Royal Highness the Princess* Alexandrina Victoria, *Daughter of His late Royal Highness the Duke of* Kent, *being under the Age of Eighteen Years, and for the Care and Guardianship of Her Person*; and that I will administer the Government of this Realm, and of all the Dominions thereunto belonging, according to the Laws, Customs, and Statutes thereof; and will in all Things, to the utmost of My Power and Ability, consult and maintain the Safety, Honour, and Dignity of His or Her (*as the Case shall require*) Majesty, and the Welfare of His or Her (*as the Case shall require*) People. So help me GOD.'

'I do faithfully promise and swear, That I will inviolably maintain and preserve the Settlement of the true Protestant Religion, with the Government, Discipline, Rights, and Privileges of the Church of *Scotland*, as established by Law. So help me GOD.'

Privy Council to administer the same.

Which Oaths shall be taken before the Privy Council then in being, who are hereby required and empowered to administer the same, and to enter the same in the Council Books.

The Regent, at the Time of taking the Oaths, to make the Declaration required by the Act 30 Car. 2. st. 2. and produce a

VIII. And be it further enacted, That the said Regent shall, at the Time of Her taking such Oaths as aforesaid, and before the Members of the Privy Council administering the same, make, subscribe, and audibly repeat the Declaration mentioned in an Act made in the Thirtieth Year of King *Charles* the Second, intituled *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, and shall produce a Certificate of Her having received the Sacrament of the Lord's

Lord's Supper in any of the Royal Chapels, signed by the Persons administering the same, which Certificate shall be sufficient Evidence of the said Regent's having received the Sacrament; and such Declaration and Certificate shall respectively be registered in the Books of the Privy Council.

Certificate of having received the Sacrament.

IX. And be it further enacted by the Authority aforesaid, That it shall not be lawful for the King or Queen of this Realm, for whom a Regent is hereby appointed, to intermarry before His or Her Age of Eighteen Years with any Person whomsoever, without the Consent in Writing of the Regent; and every Marriage so had without such Consent shall be null and void to all Intents and Purposes; and every Person who shall be acting, aiding, abetting, or concerned in obtaining, procuring, or bringing about any such Marriage, and the Person who shall be so married to such King or Queen under the Age of Eighteen Years, shall be guilty of High Treason, and suffer and forfeit as in Cases of High Treason.

Prohibiting the Marriage of such King or Queen before Eighteen Years of Age without Consent of the Regent.

X. Provided always, and be it further enacted by the Authority aforesaid, That the Regent shall not give or have Power to give the Royal Assent to any Bill or Bills in Parliament for repealing, changing, or in any respect varying from the Order and Course of Succession to the Crown of this Realm as the same stands now established in the illustrious House of *Hanover* by the Act of the Twelfth Year of the Reign of King *William* the Third, intituled *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject;* or to any Act for repealing or altering the Act made in the Thirteenth Year of the Reign of King *Charles* the Second, intituled *An Act for the Uniformity of Public Prayers, and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of making, ordaining, and consecrating Bishops, Priests, and Deacons in the Church of* England; or one Act of the Fifth Year of the Reign of Queen *Anne*, made in *Scotland*, intituled *An Act for securing the Protestant Religion and Presbyterian Church Government.*

Restraining the Regent from giving the Royal Assent to any Bill for changing the Order of Succession, &c.
12 W. 3. c. 2.
13 & 14 Car. 2. c. 4.
1702. c. 3.

XI. Provided always, and be it further enacted, That if either of the Persons by this Act nominated to be Guardian and Regent as aforesaid shall at any Time marry a Person professing the Roman Catholic Religion, or if Her Royal Highness the Duchess of *Kent* shall during the Life-time of His Majesty marry, without His said Majesty's Consent, any Person other than a natural-born Subject of this Realm, She shall be and become, from and immediately after such Marriage, absolutely incapable of holding or exercising such Office of Guardian and Regent; and that if either of such Persons shall, at any Time after becoming such Guardian and Regent, marry a Person professing the Roman Catholic Religion, or, without the Consent of the Two Houses of Parliament, marry any Person other than a natural-born Subject of this Realm, or shall cease to reside in or absent Herself from the United Kingdom of *Great Britain* and *Ireland*, then and in either of such Cases such Person shall no longer be Guardian and Regent, and all the Powers and

If either of the Persons hereby nominated to be Guardian and Regent shall marry a Roman Catholic or a Foreigner, or cease to reside in the Kingdom, such Person shall no longer be Guardian and Regent.

Authorities which She may have derived under and by virtue of this Act shall thenceforth cease and determine.

In case of the Death of Her Majesty and a subsequent Marriage.

XII. Provided always, That in case of the Death of Her present Majesty, and of the subsequent Marriage of His Majesty, this Act, and all the Powers, Provisions, and Enactments thereof, shall cease and be void.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. III.

An Act to amend an Act of the last Session, for the better Administration of Justice, so far as relates to the Essoign and General Return Days of each Term, and to substitute other Provisions in lieu thereof; and to declare the Law with regard to the Duration of the Terms in certain Cases.

[23d *December* 1830.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the more effectual Administration of Justice in* England *and* Wales, it was amongst other Things enacted, that the Essoign and General Return Days of each Term should, until further Provision be made by Parliament, be as follows; that is to say, the First Essoign or General Return Day for every Term shall be the Fourth Day before the Day of the Commencement of the Term, both Days being included in the Computation, the Second Essoign Day shall be the Fifth Day of the Term, the Third shall be the Fifteenth Day of the Term, and the Fourth and last shall be the Nineteenth Day of the Term, the First Day of the Term being already included in the Computation, with the same Relation to the Commencement of each Term as they now bear, and shall be distinguished by the Day of the Term on which they fall, the *Monday* being in all Cases substituted for the *Sunday* when it shall happen that the Day would fall on *Sunday*, except always that in *Easter* 1 W. 4. c. 70.

Easter Term there shall be Four Returns instead of Five, the last being omitted: And whereas it is expedient to repeal so much of the said Act as is herein recited, and to make other Provisions in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act as is herein-before recited shall be and the same is hereby repealed.

Repeal of so much of recited Act as relates to the Appointment of Essoign Days.

When Writs are to be returnable.

II. And be it further enacted, That all Writs now usually returnable before any of His Majesty's Courts of King's Bench, Common Pleas, or Exchequer respectively, on General Return Days, that shall be made returnable after the First Day of *January* in the Year of our Lord One thousand eight hundred and thirty-one, may be made returnable on the Third Day exclusive before the Commencement of each Term, or on any Day, not being *Sunday*, between that Day and the Third Day exclusive before the last Day of the Term; and the Day for Appearance shall, as heretofore, be the Third Day after such Return, exclusive of the Day of the Return, or in case such Third Day shall fall on a *Sunday*, then on the Fourth Day after such Return, exclusive of such Day of Return.

For removing Doubts as to Duration of Terms.

III. And whereas it is expedient to remove all Doubts that may exist as to the Duration of the Terms in any Case that may occur; be it therefore declared and enacted, That in case the Day of the Month on which any Term according to the Act aforesaid is to end shall fall to be on a *Sunday*, then the *Monday* next after such Day shall be deemed and taken to be the last Day of the Term; and that in case any of the Days between the *Thursday* before and the *Wednesday* next after *Easter* shall fall within *Easter* Term, then such Days shall be deemed and taken to be a Part of such Term, although there shall be no Sittings in Banc on any of such intervening Days.

For Continuance and Determination of Actions, Indictments, &c. which may have been depending in any of the Courts abolished by the recited Act;

IV. And whereas it is expedient to provide for the Continuance and Determination of all such Real Actions, Indictments, and Informations for Criminal Offences, and Informations in the Nature of Quo warranto, as may have been depending in any of the Courts abolished by the said Act; be it therefore enacted, That all Indictments and Informations for Criminal Offences, and Proceedings had thereon, depending in any of the said Courts, shall, at the next General Assize and Oyer and Terminer to be holden in and for the County in the Court whereof the same may be depending, be, by the late Prothonotary of the same Court, or other Officer or Person having the Custody thereof, delivered to the Clerk of Assize of the same County, and shall be proceeded with and heard and determined in the same Manner as if the same had been commenced at an Assizes or Oyer and Terminer holden in the same County by or before any Judges of Assize or Oyer and Terminer in and for such County; and

as also of Writs of Right.

that all Writs of Right and other Real Actions depending in any of the said Courts, and all Pleas and Proceedings thereon, shall, at the Request either of the Demandant or Tenant, be forthwith transmitted by such Prothonotary, or other Officer or Person having the Custody thereof, into the Office of the Prothonotaries of His Majesty's Court of

of Common Pleas, and shall be proceeded with and heard and determined in the said Court of Common Pleas in the same Manner as if the same Actions had been commenced in that Court; and that all Informations in the Nature of Quo warranto, and Pleas and Proceedings thereon, depending in any of the said abolished Courts, shall, at the Request either of the Relator or Defendant, be transmitted by such Prothonotary, or other Officer or Person having the Custody thereof, into the Crown Office of His Majesty's Court of King's Bench, and be proceeded with and heard and determined in the said Court of King's Bench as if the same had been commenced in that Court; and every such Delivery and Transmission shall be made, certified, and signed, without Fee or Reward, by the Officer or Person delivering or transmitting the same.

Recoveries of Lands may be suffered in the Courts of the Mayor of Chester, as heretofore;

V. And whereas it was not intended by the said Act to abridge the Jurisdiction of the Courts of the Mayor and Citizens of *Chester* within the County of the same City, but Doubts may be entertained whether Fines and Recoveries may be levied and suffered in the same Courts since the Commencement of the said Act, and it is expedient to remove such Doubts, and to provide more distinctly for the levying of such Fines; be it therefore enacted by the Authority aforesaid, That Recoveries of Lands, Tenements, and Hereditaments within the County of the same City may be levied and suffered as heretofore hath been accustomed in the said Courts, or such of them as had Authority and Jurisdiction in that Behalf, in like Manner and to the same Purpose and Effect as if the said Act had not passed; and that Fines of such Lands, Tenements, and Hereditaments may be levied on Writs of Covenant and other Writs necessary and usual in that Behalf to be issued out of the High Court of Chancery, instead of the Court of Exchequer of the County Palatine of *Chester*, and shall be of the same Force and Effect as Fines levied before the Justices of the Court of Common Pleas.

and Fines levied on Writs issued from the Court of Chancery

Such Fines may be reversed upon Writ of Error.

VI. Provided always, and be it further enacted, That all such Fines shall be subject to be reversed, and may be reversed upon Writs of Error to be sued and proceeded before the Justices of the Court of Common Pleas, if any Error shall be found therein.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. IV.

An Act to render valid Acts done by the Governor of any of His Majesty's Plantations after the Expiration of his Commission by the Demise of His late Majesty, and to extend the Period within which the Patents of Governors of Colonies shall on any future Demise of the Crown become vacant, and to provide for the longer Duration of the Patents of Governors after the Demise of the Crown. [23d *December* 1830.]

WHEREAS on the Demise of His late Majesty King *George* the Fourth divers Persons were in the Exercise of Offices and Employments, Civil and Military, within His Majesty's Plantations, Colonies, and Possessions Abroad, holden under and by virtue of divers Patents, Commissions, Warrants, or other Authorities determinable at His said late Majesty's Pleasure: And whereas at the Expiration of Six Calendar Months next after the Demise of His said Majesty such Offices and Employments as aforesaid will by Law cease and determine, and such Patents, Commissions, Warrants, and other Authorities as aforesaid will by Law be vacated and become void: And whereas, by reason of the Remoteness of divers of such Plantations, Colonies, and Possessions, it hath been found and is impracticable to renew such Patents, Commissions, Warrants, and Authorities, so as that the Renewal

thereof should within the Period aforesaid be signified and take effect within the said Plantations, Colonies, and Possessions, and the Governors and Officers administering the Government thereof, and other His Majesty's Officers therein, must, notwithstanding the Expiration of such their Commissions, continue in the Exercise of the Powers and Authorities thereby in them vested, in the same Manner as if such Commissions had not determined: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Powers and Authorities, whether vested in any Governor, Lieutenant Governor, or Officer administering the Government of any of His Majesty's Plantations, Colonies, or Possessions Abroad, or in any Officer or Officers within any such Plantation, Colony, or Possession, by any Patent, Commission, or Warrant which hath determined or will determine by the Demise of His said late Majesty, shall continue in full force and virtue until a new Patent, Commission, or Warrant for the Administration of any such Government, or for the Exercise of any such Office, shall be issued by His Majesty, or on His Behalf or under His Authority, and until the issuing of any such new Patent, Commission, or Warrant shall be signified and made known within the Plantation, Colony, or Plantation Abroad to which the same may relate; and that all Acts and Deeds which shall in the meantime be done shall be as good, binding, valid, and effectual as if such Patent, Commission, or Warrant had not been vacated or made void, and as if such Office or Employment had not ceased and determined.

All Powers vested in Governors of Colonies, &c. by Patent or Commission of His late Majesty to continue in force until new Patents shall be issued and made known in such Colonies.

II. And be it further enacted, That no Patent, Commission, Warrant, or other Authority for the Exercise of any Office or Employment, Civil or Military, within any of His Majesty's Plantations or Possessions Abroad, determinable at the Pleasure of His Majesty, or of any of His Majesty's Heirs and Successors, shall by reason of any future Demise of the Crown be vacated or become void until the Expiration of Eighteen Calendar Months next after any such Demise of the Crown as aforesaid.

Extending the Period at which Patents shall become determinable at any future Demise of the Crown.

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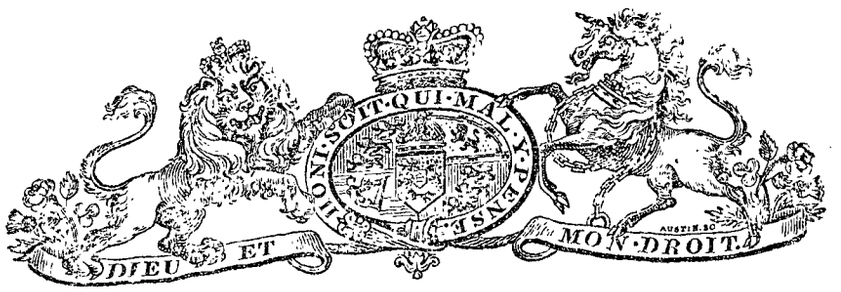

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. V.

An Act to apply the Sum of One million eight hundred and fifty thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty; and to appropriate the Supplies granted in this Session of Parliament. [23d *December* 1830.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty, the Sum of One million eight hundred and fifty thousand Pounds out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of His Majesty's Treasury of the

There shall be applied, for the Service of the Year 1830, 1,850,000*l.* out of the Consolidated Fund.

United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

The Treasury may cause 1,850,000*l.* of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, from Time to Time by Warrant under their Hands to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole the Sum of One million eight hundred and fifty thousand Pounds, and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bills to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed as so much Cash in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash; any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash according to the Course of the Receipt of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury

Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

VII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Bank of England may advance 1,850,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of One million eight hundred and fifty thousand Pounds, any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary thereof notwithstanding.

The Monies coming into the Exchequer by 1 W. 4. c. 1., and also the Sum of 1,850,000*l.* granted by this Act, shall be applied as hereafter expressed.

IX. And be it further enacted, That all the Monies coming into the Exchequer of *Great Britain* by an Act of this Session of Parliament, intituled *An Act to apply the Sum of Three Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty*, and also the Sum of One million eight hundred and fifty thousand Pounds by this Act granted, shall be further appropriated and are hereby appropriated, and shall be issued and applied

applied for and towards the several Uses and Purposes hereafter expressed.

There shall be applied 344,372*l.* 4*s.* 5½*d.* for Army Services; viz.

X. And be it further enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three hundred forty-four thousand three hundred and seventy-two Pounds Four Shillings and Five-pence Halfpenny, for and towards the Army Services hereinafter more particularly mentioned; (that is to say,) any Sum or Sums of Money not exceeding One hundred and thirty-seven thousand five hundred Pounds, to complete the Sum necessary to defray the extraordinary Expences of the Army for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding One hundred and thirteen thousand Pounds, to defray the Charge of the several Army Services, for Seven Days, from the Twenty-fifth Day of *December* to the Thirty-first Day of *December* One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Ninety-three thousand eight hundred and seventy-two Pounds Four Shillings and Five-pence Halfpenny, to complete the Sum necessary to defray the Charge of the Commissariat Department, for the Year One thousand eight hundred and thirty.

137,500*l.* for extraordinary Expences;

113,000*l.* for Services from 25th to 31st *December*;

93,872*l.* 4*s.* 5½*d.* for the Commissariat;

50,000*l.* for the Ordnance Department;

XI. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Fifty thousand Pounds, to defray the Expence, in the Year One thousand eight hundred and thirty, of Works executing under the Direction of the Board of Ordnance.

3,253,882*l.* 15*s.* to make good Supplies;

XII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Three millions two hundred fifty-three thousand eight hundred and eighty-two Pounds and Fifteen Shillings, to make good the Supplies which were granted in the last Session of Parliament; and any Sum or Sums of Money not exceeding Forty thousand Pounds, to complete the Sum necessary to defray the Charge of Civil Contingencies, for the Year One thousand eight hundred and thirty; and any Sum or Sums of Money not exceeding Twenty-five thousand Pounds, to complete the Sum necessary to defray the Expence of the Repairs and Improvements at *Windsor Castle*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever; and any Sum or Sums of Money not exceeding Forty thousand seven hundred and fifty Pounds, to complete the Sum necessary to defray, in the Year One thousand eight hundred and thirty, the Expence of Works executing at the *Rideau* Canal; and any Sum or Sums of Money not exceeding Seven hundred and fifty thousand Pounds, to pay Interest on Exchequer Bills, for the Year One thousand eight hundred and thirty.

40,000*l.* for Civil Contingencies;

25,000*l.* for *Windsor Castle*;

47,750*l.* for the *Rideau* Canal;

750,000*l.* for Interest on Exchequer Bills;

and 100,000*l.* for certain Pensions, &c. which would have been payable out of

XIII. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding One hundred thousand

Pounds, towards satisfying the Annuities, Pensions, or other Payments which would have been payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the Civil List, in case the Demise of His late Majesty had not taken place before the Fifth Day of *January* One thousand eight hundred and thirty-one. the Consolidated Fund in the Case herein mentioned.

XIV. And it is hereby also enacted, That out of all or any the Aids or Supplies aforesaid there shall and may be issued and applied any Sum or Sums of Money not exceeding Seventy-one thousand seven hundred and twenty-eight Pounds Nine Shillings and Sevenpence, to complete the Sum necessary to defray the Charge of Miscellaneous Services in *Ireland*, for the Year One thousand eight hundred and thirty, and that the said Sum be issued and paid without any Fee or other Deduction whatsoever: Provided always, that the said Sum shall not be issued and applied to any other Use, Intent, or Purpose, or to any greater Amount, than to the Use, Intent, or Purpose and to the Amount following; that is to say, for the Protestant Charter Schools of *Ireland*, Two thousand two hundred and thirty-seven Pounds Ten Shillings; for the Association for discountenancing Vice in *Ireland*, One thousand two hundred and fifty Pounds; for the Society for promoting the Education of the Poor of *Ireland*, Six thousand two hundred and fifty Pounds; for the Foundling Hospital of *Dublin*, Seven thousand seven hundred and twenty-five Pounds; for the House of Industry in *Dublin*, Five thousand three hundred and twenty-three Pounds and Fifteen Shillings; for the *Richmond* Lunatic Asylum, One thousand six hundred and seventy-five Pounds; for the *Hibernian* Society for Soldiers Children, One thousand eight hundred and ninety-nine Pounds; for the *Hibernian* Marine Society, Three hundred and fifty Pounds; for the Female Orphan House in *Dublin*, Three hundred and forty-three Pounds and Fifteen Shillings; for the *Westmorland* Lock Hospital in *Dublin*, Seven hundred and sixty-five Pounds; for the Lying-in Hospital in *Dublin*, Six hundred and forty-seven Pounds and Fifteen Shillings; for Doctor *Stephen's* Hospital in *Dublin*, Four hundred and nineteen Pounds; for the Fever Hospital in *Cork Street*, *Dublin*, Nine hundred and sixty-five Pounds; for the Hospital for Incurables in *Dublin*, One hundred and sixteen Pounds and Five Shillings; for the Roman Catholic Seminary at *Maynooth*, Two thousand two hundred and thirty-two Pounds; for the Royal *Cork* Institution, One hundred and fifty Pounds; for the Royal *Dublin* Society, One thousand seven hundred and fifty Pounds; for the Royal *Irish* Academy, Seventy-five Pounds; for the Commissioners of Charitable Donations and Bequests in *Ireland*, One hundred and seventy-five Pounds; for the *Belfast* Academical Institution, Three hundred and seventy-five Pounds; for the Board of Works in *Ireland*, Three thousand four hundred and forty-five Pounds; for Printing, Stationery, *et cetera*, in the Chief Secretary's Office in *Ireland*, Three thousand six hundred and twenty-five Pounds; for printing Proclamations and Statutes in *Ireland*, One thousand one hundred and fifty Pounds; for Criminal Prosecutions in *Ireland*, Twelve thousand five hundred Pounds; for Non-conforming and other Dissenting Ministers in *Ireland*, Three thousand seven hundred and fifteen Pounds One Shilling and Six- There shall be issued 71,728*l.* 9*s.* 7*d.* for Miscellaneous Services in *Ireland*, which shall be applied for the Purposes herein mentioned.

pence; for Salaries to Lottery Officers in *Ireland*, One hundred and eighty-five Pounds One Shilling and Sixpence Halfpenny; for Inland Navigations in *Ireland*, One thousand three hundred and twenty-five Pounds; for the Police of *Dublin*, Five thousand seven hundred and fifty Pounds; for the Commissioners of Judicial Inquiry in *Ireland*, One thousand eight hundred and thirty-two Pounds One Shilling and Sixpence Halfpenny; for the Board of Public Records in *Ireland*, Seven hundred and twenty-seven Pounds and Five Shillings; for Public Works in *Ireland*, Two thousand seven hundred and fifty Pounds.

Supplies to be applied only for the Purposes aforesaid.

XV. And it is hereby also enacted, That the said Aids and Supplies provided as aforesaid shall not be issued and applied to any Use, Intent, or Purpose whatever other than the Uses, Intents, and Purposes before mentioned, or for the other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this Session of Parliament.

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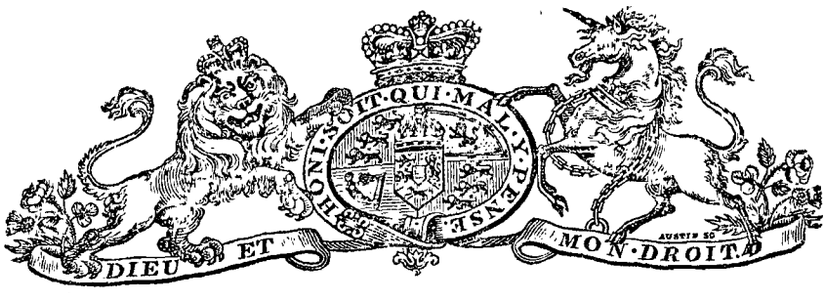

ANNO PRIMO

GULIELMI IV. REGIS.

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C A P. VI.

An Act to continue for the Term of Six Calendar Months all such Commissions, Appointments, Grants, or Patents of Offices or Employments, Civil or Military, as were in force at the Time of the Demise of His late Majesty King *George* the Fourth, and as have not been superseded, determined, or made void during the Reign of His present Majesty. [23d *December* 1830.]

WHEREAS by the Law as it now stands it is enacted and provided no Patent or Grant of any Office or Employment, either Civil or Military, shall cease, determine, or be void by reason of the Death or Demise of any King or Queen of this Realm, but that every such Patent or Grant shall be, continue, and remain in full force and virtue for the Space of Six Months next after any such Death or Demise, unless in the meantime superseded, determined, or made void by the next and immediate Successor to whom the Imperial Crown of this Realm is limited and appointed to go, remain, or descend: And whereas divers Commissions, Appointments, Grants, and Patents of Offices and Employments, Civil and Military, which were in force at the Time of the Decease of our late most Gracious Sovereign King *George* the Fourth, in the United Kingdom of *Great Britain* and *Ireland*,

the Town of *Berwick-upon-Tweed*, the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, have not been superseded, determined, or made void by His present Majesty King *William* the Fourth; and it is expedient that such Commissions, Appointments, Grants, and Patents should be continued in force for the Time and in manner herein-after mentioned: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

All Grants, Patents, &c. existing at the Demise of His late Majesty shall remain in force for Six Months after this Act, unless previously superseded.

That all and every Commissions, Appointments, Patents, and Grants, and Commission, Appointment, Patent, and Grant, of any Office or Employment, Civil or Military, which at the Time of the Death or Demise of His late Majesty King *George* the Fourth were or was in force and effect, and which have not been or shall not be superseded, determined, or made void by His present Majesty at any Time before the passing of this Act, shall be and continue and remain in full force and virtue for the Space of Six Calendar Months next after the passing of this Act, unless the same shall be respectively in the meantime superseded, determined, or made void by His present Majesty, (whom God long preserve,) or by any Successor of His said present Majesty to whom the Imperial Crown of this Realm is by Law limited or appointed to go, remain, or descend.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. VII.

An Act for the more speedy Judgment and Execution in Actions brought in His Majesty's Courts of Law at *Westminster*, and in the Court of Common Pleas of the County Palatine of *Lancaster*; and for amending the Law as to Judgment on a Cognovit actionem in Cases of Bankruptcy.

[11th *March* 1831.]

WHEREAS the Judgment and Execution in Actions brought in His Majesty's Courts of Law at *Westminster* are often delayed by reason of the Interval between the Terms: Now, for the Prevention of such Delay, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Writ of Inquiry of Damages to be issued in or by either of the said Courts, by whatever Form of Process the Action may have been commenced, may be made returnable and be returned on any Day certain, in Term or Vacation, to be named in such Writ, and such Writ shall be as valid and effectual as if the same had been returnable according to the Course of the Common Law; and thereupon at the Return thereof a Rule for Judgment may be given, Costs taxed, final Judgment signed, and Execution issued forthwith, unless the Sheriff or other Officer before whom the same may be executed shall certify under his Hand upon such Writ that Judgment ought not

Writs may be made returnable on any Day to be named therein.

Proceedings to be had at the Return thereof.

not to be signed until the Defendant shall have had an Opportunity to apply to the Court to set aside the Execution of such Writ, or One of the Judges of the said Courts shall think fit to order the Judgment to be stayed until a Day to be named in such Order: Provided always, that in case the signing of Judgment on such Writ shall be postponed by reason of such Certificate or Order, or by the Choice of the Plaintiff, or otherwise, and Judgment shall be afterwards signed thereon, such Judgment shall be entered of Record as of the Day of the Return of such Writ, unless the Court shall otherwise direct.

The Judge before whom any Action shall be tried may certify before the End of the Sittings or Assizes that Execution ought to issue forthwith;

in which Case Judgment may be signed, and Execution issued according to the Terms of the Certificate.

II. And be it further enacted, That in all Actions brought in either of the said Courts, by whatever Form of Process the same may be commenced, it shall be lawful for the Judge before whom any Issue joined in such Action shall be to be tried, in case the Plaintiff or Demandant therein shall become Nonsuit, or a Verdict shall be given for the Plaintiff or Demandant, Defendant or Tenant, to certify under his Hand, on the Back of the Record, at any Time before the End of the Sittings or Assizes, that in his Opinion Execution ought to issue in such Action forthwith, or at some Day to be named in such Certificate, and subject, or not, to any Condition or Qualification, and in case of a Verdict for the Plaintiff, then either for the Whole or for any Part of the Sum found by such Verdict; in all which Cases a Rule for Judgment may be given, Costs taxed, and Judgment signed forthwith, and Execution may be issued forthwith, or afterwards, according to the Terms of such Certificate, on any Day in Vacation or Term; and the Postea, with such Certificate as a Part thereof, shall and may be entered of Record as of the Day on which the Judgment shall be signed, although the Writ of Distringas juratores or Habeas corpora juratorum may not be returnable until after such Day: Provided always, that it shall be lawful for the Party entitled to such Judgment to postpone the signing thereof.

Entering and recording of Judgment.

Teste.

III. And be it further enacted, That every Judgment to be signed by virtue of this Act may be entered and recorded as the Judgment of the Court wherein the Action shall be depending, although the Court may not be sitting on the Day of the signing thereof; and every Execution issued by virtue of this Act shall and may bear Teste on the Day of issuing thereof; and such Judgment and Execution shall be as valid and effectual as if the same had been signed and recorded and issued according to the Course of the Common Law.

Judgment may be vacated, Execution stayed, and new Trial granted.

IV. Provided always, That notwithstanding any Judgment signed or recorded, or Execution issued, by virtue of this Act, it shall be lawful for the Court in which the Action shall have been brought to order such Judgment to be vacated, and Execution to be stayed or set aside, and to enter an Arrest of Judgment, or grant a new Trial or new Writ of Inquiry, as Justice may appear to require; and thereupon the Party affected by such Writ of Execution shall be restored to all that he may have lost thereby in such Manner as upon the Reversal of a Judgment by Writ of Error, or otherwise as the Court may think fit to direct.

V. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed to frustrate or make void any Provision relating to the issuing of any Writ of Habere facias possessionem, contained in the Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the more effectual Administration of Justice in* England *and* Wales.

Not to affect Provision in 1 W. 4. c. 70. relating to Writs of Possession.

VI. Provided always, and be it further enacted, That no Officer of either of the said Courts shall, for the Purpose of taxing Costs on any Judgment to be signed by virtue of this Act, be compelled to attend at any Time between the last Day of *August* and the Twenty-first Day of *October* in any Year.

Limitation as to taxing Costs.

VII. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the Laws relating to Bankrupts*, it is provided, that no Creditor, though for a valuable Consideration, who shall sue out Execution upon any Judgment obtained by Default, Confession, or Nil dicit, shall avail himself of such Execution to the Prejudice of other fair Creditors, but shall be paid rateable with such Creditors: And whereas, by reason of such Provision, Plaintiffs have been and may be deterred from accepting a Cognovit actionem, with Stay of Execution, whereby the Expence of further Proceedings in such Action might have been and may be saved or diminished; for Remedy thereof be it enacted, That no Judgment signed or Execution issued after the passing of this Act on a Cognovit actionem signed after Declaration filed or delivered, or Judgment by Default, Confession, or Nihil dicit, according to the Practice of the Court, in any Action commenced adversely, and not by Collusion for the Purpose of fraudulent Preference, shall be deemed or taken to be within the said Provision of the said recited Act.

No Judgment signed or Execution issued on a Cognovit signed after Declaration filed shall be deemed within the Provision of 6 G. 4. c. 16.

VIII. And whereas by an Act passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Second, made and passed, among other Purposes, for the more frequent Return of Writs in the Counties Palatine of *Chester* and *Lancaster*, Writs of Capias ad respondendum may be made returnable in the Court of Common Pleas of the said County Palatine of *Lancaster* on the first *Wednesday* in every Month: And whereas by another Act passed at a Sessions of Parliament holden in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better regulating the Practice and for preventing Delays in the Proceedings of the Court of Common Pleas at* Lancaster, Writs of Inquiry of Damages, and certain other Writs in the said Act in that Behalf mentioned, issued by and out of the same Court, may be made returnable on any of the Return Days in *Easter* and *Michaelmas* Terms respectively, according to the Course of His Majesty's Court of Common Pleas at *Westminster*, in addition to the first and last Days of each Assizes held for the said County; and it is expedient to quicken the Proceedings in the said Court of the said County; be it therefore enacted, That in lieu of the Return Days in *Easter* and *Michaelmas* Terms, all Writs of Inquiry of Damages, and other Writs in the said last-mentioned Act in that Behalf

In lieu of the Return Days in Easter and Michaelmas Terms, all Writs of Inquiry of Damages, &c. to be returnable on the first Wednesday in every Month, in addition to the first and last Days of each Assizes.

Behalf mentioned, shall and may be made returnable in the said Court of the said County on the first *Wednesday* in every Month, in addition to the first and last Days of each Assizes held for the said County; and such Proceedings shall and may be had on the Return thereof as upon such Writs returnable according to the Law in force at and before the passing of this Act.

When Writs for removing Suits from inferior Courts shall be returnable.

IX. And whereas Persons suing in the inferior Courts of the said County Palatine of *Lancaster* are often vexatiously delayed in the Recovery of their just Demands by the Removal of their Suits into the said Court of Common Pleas, by reason that the Writs whereby the same are removed can be made returnable only at the Assizes holden for the said County; for Remedy thereof be it enacted, That all Writs of Pone loquelam, Recordari facias loquelam, Accedas ad curiam, and all other Writs now lawfully issued out of the Chancery of the said County Palatine of *Lancaster* for the Removal of Causes from the inferior Courts of the said County into the said Court of Common Pleas, which shall be issued after the Expiration of Fourteen clear Days next after the passing of this Act, shall be made returnable on the first *Wednesday* in the Month next after the issuing thereof, unless in the meantime the Assizes shall be holden for the said County, and if the Assizes shall be so holden in the meantime, then on the first or last Day of such Assizes, as the Case may be, next after the issuing thereof; and that all such Writs made returnable at any other Time than according to the Provision herein-before contained shall be utterly null and void to all Intents and Purposes.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. VIII.

An Act for enabling His Majesty to appoint a Postmaster General for the United Kingdom of *Great Britain* and *Ireland*.

[11th *March* 1831.]

WHEREAS by an Act passed in the Ninth Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a Weekly Sum out of the Revenues thereof for the Service of the War, and other Her Majesty's Occasions*, it was amongst other Things enacted, that from and after the First Day of *June* One thousand seven hundred and eleven there should be from thenceforth One General Letter Office and Post Office erected and established in some convenient Place within the City of *London*, from whence all Letters and Packets whatsoever might be with Speed and Expedition sent into any Part of the Kingdoms of *Great Britain* and *Ireland*, or to *North America*, the *West Indies*, or to any other of Her Majesty's Dominions or Territories, or unto any other Kingdom or Country beyond the Seas; at which said Office all Returns and Answers might be likewise received; and that One Master of the said General Letter Office and Post Office should be from Time to Time appointed by the Queen's Majesty, Her Heirs and Successors, to be made and constituted by Letters Patent under the Great Seal of *Great Britain*, by the Name and Style of "Her Majesty's Postmaster General," which said Master of the said Office, and his Deputy and Deputies by him thereunto sufficiently authorized, 9 Anne, c. 10.

rized, and his and their Servants and Agents, and no other Person or Persons whatsoever, should from Time to Time and at all Times have the receiving, taking up, ordering, dispatching, sending Post or with Speed, carrying, and delivering of all Letters and Packets whatsoever which should from Time to Time and at all or any Times be sent to and from all and every the Parts and Places of *Great Britain* and *Ireland*, *North America*, the *West Indies*, and other Her Majesty's Dominions, and also to and from all and every the Kingdoms and Countries beyond the Seas where he should settle or cause to be settled Posts or running Messengers for that Purpose; except such Letters as in the said Act are particularly mentioned: And whereas an Act was passed by the Parliament of the Kingdom of *Ireland* in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for establishing a Post Office within this Kingdom*, whereby it was amongst other Things enacted, that as soon as conveniently might be after the passing of that Act there should be One General Letter Office and Post Office established in some convenient Place within the City of *Dublin*, with Sub-Offices throughout that Kingdom, from whence all Letters and Packets whatsoever to or from Places within that Kingdom or beyond the Seas might be with Speed and Expedition sent, received, and dispatched; and that the Person or Persons from Time to Time to be appointed Master of the said Office should be so appointed by the King's Majesty, His Heirs and Successors, to be made and constituted by Letters Patent under the Great Seal of *Ireland*, by the Name and Style of "His Majesty's Postmaster General of *Ireland*;" and that there should be a Secretary, a Treasurer or Receiver General, an Accountant General, and a Resident Surveyor of the said General Post Office, and also a Comptroller of the Sorting Office thereof, to be appointed, made, and constituted in like Manner by Letters Patent under the Great Seal of *Ireland*; which said Master of the said Office, and his Deputy and Deputies by him thereunto sufficiently authorized, and his and their Servants and Agents, and no other Person or Persons whatsoever within that Kingdom, should from Time to Time and at all Times have the receiving, taking up, ordering, dispatching, sending Post or with Speed, carrying, and delivering of all Letters and Packets whatsoever which should from Time to Time and at all Times be sent to and from all and every Parts and Places within that Kingdom, and to and from all and every the Parts and Places beyond the Seas where Posts were then settled or might thereafter be settled for that Purpose; except such Letters as are therein mentioned: And whereas by an Act made and passed in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Union of* Great Britain *and* Ireland, it was amongst other Things provided, that the said Kingdoms of *Great Britain* and *Ireland* should upon the First Day of *January* in the Year of our Lord One thousand eight hundred and one, and for ever after, be united into One Kingdom by the Name of the United Kingdom of *Great Britain* and *Ireland*: And whereas it is expedient that there should be in future but One Postmaster General for the said United Kingdom and other His Majesty's Dominions; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

23 & 24 G. 3. (I.)

39 & 40 G. 3. c. 67.

and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the King's Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of *Great Britain*, from Time to Time to appoint any One Person to be Postmaster General for the United Kingdom of *Great Britain* and *Ireland* and other His Majesty's Dominions, in lieu of the said Two several Postmasters General of *Great Britain* and *Ireland* authorized to be appointed as aforesaid, by the Name and Style of "His Majesty's Postmaster General," which said Postmaster General so to be appointed shall have and be entitled to all and every the same Powers, Authorities, Immunities, Rights, and Privileges as the said Two several Postmasters General would have been entitled to in right of their respective Offices in case they had been separately nominated and appointed thereto by Letters Patent under the Great Seals of *Great Britain* and *Ireland* respectively; and the said Postmaster General so to be appointed, and his Deputy and Deputies, and his and their Servants and Agents, in *Great Britain*, *Ireland*, and other His Majesty's Dominions, and elsewhere, shall be entitled to demand, have, receive, and take, for the Postage and Conveyance of all such Letters and Packets which he or they shall convey, carry, or send Post, the like Rates and Sums of Money in all respects as the several Postmasters General of *Great Britain* and *Ireland* would immediately before the passing of this Act have, in right of their respective Offices, been authorized and entitled by Law to demand, have, receive, and take for the Postage and Conveyance of Letters and Packets conveyed, carried, and sent by the Post.

His Majesty to appoint One Postmaster General for the United Kingdom.

Powers of the said Postmaster General, his Deputies, &c. as to the Postage of Letters.

II. And be it further enacted, That the Agent and Agents of the said Postmaster General for the Time being in *Great Britain*, *Ireland*, and elsewhere, shall have all the like Powers, Privileges, Rights, Immunities, Benefits, and Authorities, and the said Postmaster General for the Time being, his Deputy and Deputies, Agent and Agents, shall be subject to all the like Regulations, Directions, Restrictions, Penalties, Punishments, and Liabilities, in all respects, as he or they was or were or would have been by Law subject or liable to under or by virtue of the Acts in force concerning the Post Offices of *Great Britain* and *Ireland* immediately before the passing of this Act, in case such separate Postmasters General had been nominated and appointed.

Postmaster General, his Deputies and Agents, to be subject to the same Penalties as under Provisions of former Act.

III. And be it further enacted, That when and as the several Patents granted under and by virtue of the said in part recited Act of the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third to the present Secretary, Accountant General, and Resident Surveyor of the General Post Office in *Dublin*, and the Comptroller of the Sorting Office thereof, or any or either of such Patents, shall be revoked or otherwise determined, every future Secretary, Accountant General, and Resident Surveyor of the said General Post Office in *Dublin*, and every future Comptroller of the Sorting Office thereof, shall be appointed by and during the Pleasure of His Majesty's Postmaster General for the Time being.

After Expiration of the present Patents, all Officers to be appointed by the Postmaster General.

IV. And

Act may be altered this Session.

IV. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. IX.

An Act to apply the Sum of Five Millions, out of the Consolidated Fund, to the Service of the Year One thousand eight hundred and thirty-one. [11th *March* 1831.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-one, the Sum of Five Millions out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

There shall be applied, for the Service of the Year 1831, 5,000,000*l.* out of the Consolidated Fund.

II. And

The Treasury may cause 5,000,000*l.* of Exchequer Bills to be made out in Manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Five Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Clauses, &c. in recited Act extended to this Act.

III. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Interest on Exchequer Bills.

IV. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein.

Bills to be placed as so much Cash in the Exchequer;

V. And be it further enacted, That the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall and they are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act to be placed, as so much Cash, in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer at *Westminster*, each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash; any Law or Usage to the contrary notwithstanding.

and may be applied by the Treasury.

VI. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash, according to the Course of the Receipt of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in Real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Exchequer Bills made chargeable upon the

VII. And be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become

due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* in the next succeeding Quarter to that in which the said Exchequer Bills have been issued; and it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby authorized, from Time to Time, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer at *Westminster*, in such Manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrant, out of the growing Produce of the said Consolidated Fund of the next succeeding Quarter to that in which the said Exchequer Bills have been issued, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

growing Produce of the Consolidated Fund.

VIII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and they are hereby empowered, to take, accept, and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Sum granted by this Act out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Five Millions; any thing in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any other Act or Acts, to the contrary thereof notwithstanding.

Bank of England may advance 5,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. X.

An Act for appropriating certain Sums to the Service of the Year One thousand eight hundred and thirty-one. [11th *March* 1831.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards making good the necessary Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-one, the Sum of Two Millions, a Part of the Sum now remaining in the Exchequer, or remaining to be received on the Thirty-first Day of *January* One thousand eight hundred and thirty-one, to complete the Aids granted by Parliament for the Service of the Year One thousand eight hundred and thirty; and also the Sum of Sixty thousand Pounds to be paid into the Exchequer by the United Company of Merchants of *England* trading to the *East Indies* towards the Expence of Retiring Pay, Pensions, and Allowances to His Majesty's Forces serving in *India*,

There shall be applied, for the Service of the Year 1831, 2,000,000*l.* now in the Exchequer, and 60,000*l.* to be paid by the East India Company;

any Sums paid into the Exchequer in respect of Exchequer Bills issued for Public Works; and any Balance paid in by the Bank of England pursuant to 56 G.3. c. 97.

India, in pursuance of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth; and also any Sum or Sums which may have been or which may be paid into the Exchequer before the Fifth Day of *April* One thousand eight hundred and thirty-two, in respect of Exchequer Bills issued pursuant to Two Acts passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, to authorize the Issue of Exchequer Bills for the carrying on Public Works and Fisheries in the United Kingdom; and also the Balance now in the Exchequer, or which may be paid into the same by the Governor and Company of the Bank of *England* on or before the Fifth Day of *April* One thousand eight hundred and thirty-two, pursuant to an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the advancing, for the Public Service, a Proportion of the Balance that shall remain from Time to Time in the Bank of* England *for the Payment of Dividends on account of the Public Debt, for Lottery Prizes or Benefits not claimed, and Principals of Stocks and Annuities remaining unclaimed;* provided that if at any Time the said Balance shall be reduced to a less Sum than One hundred thousand Pounds, then so much of the Monies advanced by the said Governor and Company shall be repaid to them as shall be equal to the Sum by which the said Balance shall be less than the Sum of One hundred thousand Pounds; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XI.

An Act for raising the Sum of Twelve Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-one.

[11th *March* 1831.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted unto Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* at any Time or Times to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole the Sum of Twelve Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are prescribed in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills.*

The Treasury may raise 12,000,000*l.* by Exchequer Bills, in like Manner as is prescribed by 48 G. 3. c. 1.

The Clauses, &c. in recited Act extended to this Act.

II. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Act shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Treasury to apply the Money raised.

III. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in his present Session of Parliament.

Bills to be payable out of Supplies of the next Session;

IV. And be it further enacted, That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be and are hereby charged and chargeable upon and shall be paid and discharged by and out of the first Supplies to be granted in the next Session of Parliament.

Interest on Exchequer Bills.

V. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall and may bear an Interest not exceeding the Rate of Three-pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Receipt of His Majesty's Exchequer at *Westminster*.

Bills to be current at the Exchequer after April 5, 1832.

VI. And be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall and may, from and after the Fifth Day of *April* One thousand eight hundred and thirty-two, be received and taken and shall pass and be current to all and every the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, already granted, due, or payable, or which shall or may hereafter be granted, due, or payable, to His Majesty, His Heirs and Successors, and also at the Receipt of the said Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to His Majesty, His Heirs and Successors, for or upon any Account, Cause, or Occasion whatsoever, according to the Purport and true Meaning of this Act, and that such of the same Bills as shall be received at the said Exchequer shall and may be locked up and secured as Cash, according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

Bank of England may advance 12,000,000*l.* on the Credit

VII. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of

Money not exceeding in the whole the Sum of Twelve Millions, any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding. of this Act, notwithstanding 5 & 6 W. & M. c. 20.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. XII.

An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in *England*, for the Service of the Year One thousand eight hundred and thirty-one.

[11th *March* 1831.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned: And whereas by an Act passed in the Thirty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making perpetual, subject to Redemption and Purchase in the Manner therein stated, the several Sums of Money now charged in* Great Britain *as a Land Tax for One Year, from the Twenty-fifth Day of* March *One thousand seven hundred and ninety-eight*, the several and respective Sums of Money charged by virtue of an Act of the same Session of Parliament, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year One thousand seven hundred and ninety-eight*, on any Manors, Messuages, Lands, Tenements, or Hereditaments in *Great Britain*, are, after the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine, continued

38 G. 3. c. 60.

38 G. 3. c. 5.

and made perpetual, with a Provision that the several Sums of Money charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, or Personal Estates, or upon any Person or Persons in respect of any Public Office or Employment of Profit, or any Salaries, Gratuities, Bounty Monies, Rewards, Fees, Profits, Perquisites, Advantages, Pensions, Annuities, Stipends, or yearly Payments in the said Act mentioned, should, after the Twenty-fifth Day of *March* One thousand seven hundred and ninety-nine, be ascertained, raised, levied, collected, and paid according to the Directions of any Act or Acts to be passed for that Purpose: And whereas the Sums of Money and Duties last mentioned have been from Time to Time continued by divers Acts of Parliament, and are now in force until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one; therefore we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Sums of Money and Duties which shall have been or shall be charged upon Estates in ready Money, Debts, Goods, Wares, Merchandize, Chattels, or other Personal Estate, by virtue of the said Act passed in the Thirty-eighth Year of the Reign of His said Majesty, for granting an Aid to His Majesty by a Land Tax, and also the several Sums of Money and Duties which by virtue of the said recited Act made in the Thirty-eighth Year of His said Majesty's Reign, for granting an Aid to His Majesty by a Land Tax, were charged in respect of any Public Offices or Employments, or any Annuities, Pensions, Stipends, or other annual Payments, and which have been continued and are in force until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, shall be continued, and raised, levied, collected, and paid unto His present Majesty within the Space of One Year from the said Twenty-fifth Day of *March* One thousand eight hundred and thirty-one.

The Duties charged upon Personal Estates, Offices, and Pensions, by recited Acts, further continued.

II. And be it further enacted, That the several Powers and Provisions contained in an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for continuing to His Majesty for One Year certain Duties on Personal Estates, Offices, and Pensions in* England; *and also for granting certain Duties on Sugar imported; for the Service of the Year One thousand eight hundred and twenty-five*, for the ascertaining, assessing, taxing, regulating, paying, and accounting for the Duties on Personal Estates, Offices, and Pensions, shall extend and be construed to extend to the Duties on Personal Estates, Offices, and Pensions hereby granted and continued, except where other Provisions are made by this Act; and that the several Powers and Provisions in the said Act contained, which relate or refer to any Day or Time within or during or before or after the Year commencing from the Twenty-fifth Day of *March* One thousand eight hundred and twenty-five, shall extend and be construed to relate to the like Days and

The several Clauses of 6 G. 4. c. 9. for ascertaining and regulating the Duties extended to this Act.

Times within or during or before or after the Year commencing from the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, in like Manner as by the said recited Act is directed with reference to the Year One thousand eight hundred and twenty-five, and as if the several Powers and Provisions in the said recited Act contained were repeated and re-enacted in this present Act.

The Officers of the Exchequer to stop the Duties hereby granted out of Annuities, Pensions, &c. payable at the Exchequer, and pay the same over to the Receiver General of the Land Tax.

III. Provided always, and be it enacted, That no Assessment shall be made by any Commissioner or Commissioners, Assessor or Assessors of the Land Tax, or otherwise, on or in respect of the Duties hereby granted on Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments whatsoever payable at the Receipt of His Majesty's Exchequer; nor shall any such Duties be collected or received by any Collector of the Land Tax, or included in the Parchment or other Duplicates, as heretofore; but all and every such Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments shall be and they are hereby respectively charged, assessed, and taxed with the Duties hereby granted or continued, at the same annual Rate and to the like Amount as the same were respectively rated, charged, and assessed under the said recited Act of the Sixth Year of His late Majesty's Reign, or under any other Act or Acts; and the proper Officer or Officers in the said Exchequer shall, and he and they is and are hereby respectively directed, authorized, and empowered from Time to Time to stop and detain such Duties out of the said Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, Profits, or other yearly Payments, or Arrears thereof, without any other or further Authority than the Provisions of this Act, and to all Intents as if such Duties had been brought into Assessment as heretofore, any thing in this Act or in any other Act or Acts contained to the contrary thereof notwithstanding; and every such Officer or Officers shall and he and they is and are hereby required from Time to Time to pay over the said Duties so stopped to the Receiver General of the Land Tax authorized to receive the same, and to render true Lists and Accounts thereof *gratis* to the Commissioners for the Affairs of Taxes, so that such Receiver General may be duly charged therewith.

A Register to be kept of all Money paid into the Exchequer for the Duties hereby granted.

IV. And be it further enacted, That there shall be provided and kept, in the Office of the Auditor of the Receipt of His Majesty's Exchequer at *Westminster*, One Book of Register, in which all the Money that shall be paid into the said Exchequer for the said Rates and Duties hereby granted or continued on Personal Estates, and on Offices and Employments of Profit, Pensions, Annuities, and Stipends, shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty, and shall be carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

Treasury to apply the Money from Time to Time.

V. And

Act may be altered.

V. And be it enacted, That this Act may be altered, amended, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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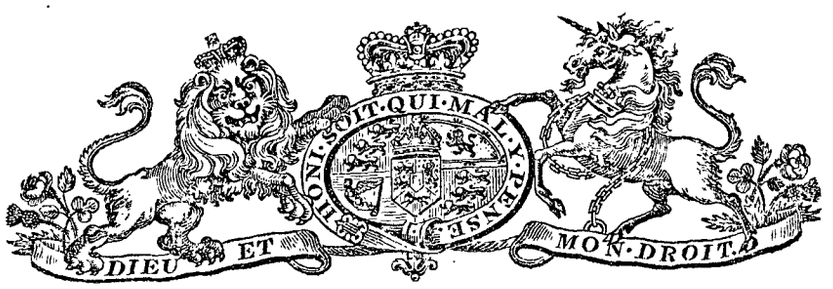

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XIII.

An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for appropriating the* Richmond *Lunatic Asylum in* Dublin *to the Purposes of a District Lunatic Asylum.*

[11th *March* 1831.]

WHEREAS by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, certain Provisions were made for the Erection and Establishment of Lunatic Asylums in and for Districts to be limited and appointed in manner and by the Authority in the said Act mentioned: And whereas by an Act passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for appropriating the* Richmond *Lunatic Asylum in* Dublin *to the Purposes of a District Lunatic Asylum,* it was among other Things enacted, that a certain Building commonly known by the Name of the *Richmond* Lunatic Asylum, in the City of *Dublin,* theretofore established and used as an Asylum or Hospital for the Reception and Management of Lunatic Patients, should and might be and become, and the same has accordingly become, a Lunatic Asylum for the County of the City of *Dublin,*

1 & 2 G. 4. c. 33.

11 G. 4. c. 22.

Dublin, and for such other County or Counties as from Time to Time, under the Provisions of the said first-recited Act of the First and Second Years of His late Majesty, constituted, together with the said City of *Dublin*, a District of a Lunatic Asylum; and it was by the said recited Act of the Eleventh Year of His late Majesty's Reign further enacted, that an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, intituled *An Act to regulate the Appointment of Governors in the* Richmond *Lunatic Asylum in* Dublin, whereby certain Provisions were made for the Government of the said Asylum, and the Governors thereof incorporated, and the said Building, and the Ground and Soil thereto belonging, vested in such Governors, should be and the same was thereby repealed; and it was by the said recited Act of the Eleventh Year of His late Majesty further provided and enacted, that all Rules, Orders, Regulations, Rights, Powers, Authorities, Privileges, Liabilities, Provisoes, and Enactments contained in the said recited Act of the First and Second Years of His late Majesty should and might from Time to Time, as Occasion might require, be extended, applied, used, and enforced to and in respect of the District so to be constituted as aforesaid, in like Manner, to all Intents and Purposes, as in the Case of any District Lunatic Asylum created and established by or subject to the Provisions of the said recited Act of the Session of the First and Second Years of His said late Majesty: And whereas the said Building known by the Name of the *Richmond* Lunatic Asylum is capable of affording Accommodation for a much larger Number of Lunatic Poor than the Number limited by the said last-recited Act as the Number which it is lawful under the Provisions of such Act to maintain and take care of within any One Lunatic Asylum: And whereas it is expedient to remove the Limitation whereby the Utility of the said Building is curtailed, and the superior Extent of its Accommodations rendered unavailing; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Enactment or Provision contained in the said recited Act of the Session holden in the First and Second Years of His late Majesty, or in any other Act or Acts, whereby the Number of Lunatic Poor to be maintained and taken care of in a Lunatic Asylum is in any Manner limited or restricted, shall extend or in any Manner be construed to affect the said *Richmond* Lunatic Asylum, or the Reception and Accommodation of Lunatic Poor therein; and that notwithstanding any thing in the said last-recited Act or in any other Act or Acts to the contrary, it shall and may be lawful to receive, maintain, and take care of within the said *Richmond* Lunatic Asylum any Number of Lunatic Poor whatsoever, for the Reception and Accommodation of whom the said Asylum or Building shall or may afford Space and Capacity; and that the Care, Maintenance, Superintendance, and Expenditure which shall be or become requisite for or in respect of all such Lunatic Poor shall be defrayed, raised, and provided for in all respects as the Care, Maintenance, Superintendance, and Expenditure requisite for or in respect of such limited Number of Lunatic Poor as before the passing of this Act it was or may have been lawful to maintain and take

55 G. 3. c. 107.

The Richmond Lunatic Asylum may receive as many Patients as it can accommodate; the Care and Maintenance of whom shall be provided for as heretofore.

take care of in such Lunatic Asylum, might or ought to have been defrayed, raised, and provided for; and that all Rights, Duties, Obligations, and Liabilities belonging to or vested in, or attaching or imposed upon, any Person or Persons, Body or Bodies Corporate or otherwise, for or in respect of the Care and Maintenance of such limited Number of Lunatic Poor, shall extend to, and the same are hereby enacted and declared to be in like Manner lawful, valid, and effectual as respects the Care and Maintenance of the whole Number of Lunatic Poor received or to be received in the said *Richmond* Lunatic Asylum: Provided always, that nothing in this Act contained shall extend or be construed to extend in anywise to alter or affect the Laws now in force for the Regulation and Maintenance of the said *Richmond* Lunatic Asylum, other than as respects the said Limitation of the Number of the Lunatic Poor taken care of and maintained therein.

Nothing herein to alter the Management of the Asylum in any other respect.

II. And be it enacted, That this Act, or any of the Provisions thereof, may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

Act may be amended, &c. this Session.

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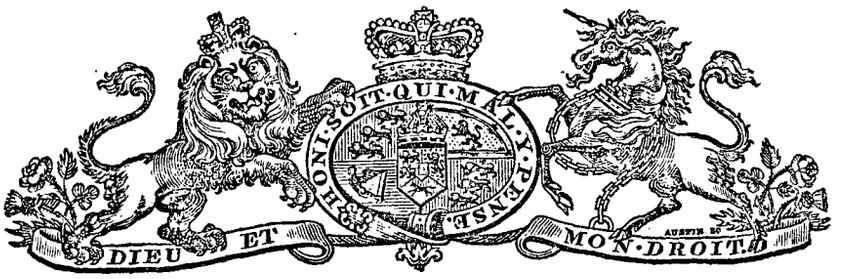

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XIV.

An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

[15th *March* 1831.]

WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on Shore, or sent to do Duty on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of His Majesty not being in Commission, or other Ships or Vessels, in which they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, or be guilty of any other Crime in breach of good Order and Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow: Be it therefore enacted by the King's most Excellent

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of *March* One thousand eight hundred and thirty-one, if any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in His Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of His Majesty not being in Commission, or on board any Convict Hulk or Ship, or any other Ship or Vessel, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition; or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of His Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being; or shall strike or use any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

Crimes punishable by Death.

II. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to exempt any Officer or Marine from being proceeded against by the ordinary Course of Law for Crimes thereby cognizable; and any Commanding Officer who shall neglect or refuse, when due Application shall be made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Marine charged with any Capital Crime, or with any Violence or Offence against the Person or Property of any of His Majesty's Subjects punishable by the known Laws of the Land, or who shall wilfully neglect or refuse to assist any Peace Officer in apprehending any such Offender, shall, upon Conviction thereof in any of His

The ordinary Course of Law not to be interfered with.

Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to hold any Civil or Military Office or Employment in His Majesty's Service; and a Certificate of such Conviction shall be transmitted to the Secretary of the Admiralty: Provided always, that no Person who shall have been tried before any of the ordinary Courts of Law for any Crime cognizable in such Courts shall be liable to be punished for the same by any Court-martial otherwise than by cashiering.

Marines not to be taken away from the Service for Debts under 30*l.*

III. And be it enacted, That no Person (except an Apprentice) enlisted in His Majesty's Service as a Marine shall be liable to be arrested or taken therefrom by the Warrant of any Magistrate, or otherwise, on account of any Breach of Contract or Engagement to serve or work for any Employer; and that no Marine shall be liable to be arrested and taken out of His Majesty's Service for Debt by any Process or Execution whatsoever, unless an Affidavit shall be first duly made and filed by the Plaintiff in the Suit, or by some one on his Behalf, for which no Fee shall be taken, that the original Debt for which the Action has been brought amounts to the Sum of Thirty Pounds at least, over and above all Costs in that or any other Action, a Memorandum of which Oath shall be marked on the Back of such Process, and of the Warrant grounded thereon; and in case any Person shall nevertheless contrary hereto be arrested, it shall be lawful for any Judge of the Court out of which the Process shall have issued, and he is hereby required, upon Complaint made by the Person arrested, or by his Superior Officer, and upon due Proof thereof being made to him that such Arrest was made contrary to the Intent and Meaning of this Act, to discharge the Person so arrested out of Custody, and also to award to the Party complaining such Costs as such Judge shall think reasonable; for the Recovery whereof he shall have the like Remedy by Writ of Execution as that which the Plaintiff in the Suit might have had in case Judgment had been given for him in the Action.

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

IV. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, to make Rules and Articles of War in Writing, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of His Majesty's Royal Marine Forces while on Shore, either in this Kingdom or in any other of His Majesty's Dominions, or in Foreign Parts out of such Dominions, or on board any Ship or Vessel of His Majesty not being in Commission, or on board any Transport, or Merchant Ship or Vessel, or any Convict Ship or Hulk, for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Neglect of Duty, and other Offences, and for bringing Offenders against the same to Justice; which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Dominions Abroad: Provided always, that no Person shall

shall be subject by such Rules and Articles to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner nor under any Regulations which shall not accord with the Provisions of this Act.

Lord High Admiral, &c. may grant Commissions for holding General Courts-martial, &c.

V. And be it enacted, That it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and for bringing Offenders against the Articles of War to Justice, to erect and constitute Courts-martial, as well within the said United Kingdom and the *British* Isles as in any of His Majesty's Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of His Majesty's Royal Marine Forces, as well within the said United Kingdom as elsewhere beyond the Seas, for convening, as well as for authorizing any Officer not below the Degree of a Field Officer to convene, Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces under their Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Seas or elsewhere commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Composition of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, *Africa*, and *New South Wales* excepted,) or in the Settlements of the *East India* Company, or elsewhere, shall, in order to have Power to try a Commissioned Officer, or to pass Sentence of Death or Transportation on any Offender, consist of not less than Thirteen Commissioned Officers, in which Sentence of Death Nine at least of the Members of any Court consisting of Thirteen shall concur; and for the Trial of any Person not of the Rank of a Commissioned Officer, the Court shall consist of not less than Nine; and such General Courts-martial convened in *Bermuda*, or out of the King's Dominions, (excepting *Africa* and *New South Wales*,) shall have not less than Seven, and in *Africa* and *New South Wales* not less than Five Commissioned Officers; and in all Cases where such General Courts-martial as aforesaid shall consist of more or fewer Officers than Thirteen, no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Members present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

VII. And

VII. And be it enacted, That all and every Court-martial shall have Power and Authority and is hereby required to administer the requisite Oath, in the usual Form, to every Person who shall be examined as a Witness before any such Court-martial, previous to his giving Evidence thereat. Courts-martial to administer Oaths.

VIII. And be it enacted, That in all Trials by General Courts-martial to be held by virtue of this Act, every Member of such Court shall, before any Proceedings be had thereupon, take the Oaths for that Purpose set forth in the Schedule to this Act annexed, before the Judge Advocate or Person officiating as such, and on Trials by other Courts-martial before the President thereof, who are hereby respectively authorized to administer the same; and so soon as such Oaths shall have been administered to the respective Members, the President of the Court (having himself taken the said Oath,) to be administered to him by any sworn Member, is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act for that Purpose annexed; and that no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which may require an immediate Example, and except in the *East Indies*, where such Trial may be held between the Hours of Six in the Morning and Four in the Afternoon. Proceedings of Courts-martial.

IX. And whereas it may be expedient in many Cases that Officers of the Land Forces should be associated with Royal Marine Officers for the Purpose of holding Courts-martial; be it enacted, That, when and as often as it shall be deemed necessary, it shall and may be lawful for Officers of Royal Marines and of the Land Forces to sit in conjunction on any Court-martial to be held under the Authority of this Act, and to proceed on the Trial of any Marine Officer, Non-commissioned Officer, Drummer, or Private Man, in like Manner to all Intents and Purposes as if such Court-martial were composed of Marine Officers only, and whether the Commanding Officer by whose Order such Court-martial is assembled belong to the Land or the Marine Forces; and the Officers composing such Court shall in such Cases take Rank according to the Seniority of their Commissions in either Service. Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

X. And be it enacted, That a General Court-martial may sentence any Marine to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court may appoint, or to Corporal Punishment not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as a Felon for Life or for a certain General Courts-martial may sentence Offenders to Imprisonment, &c.

Term of Years, or to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall be pleased to direct, or if such Offender shall have enlisted for any limited Term, may sentence him to serve for Life as a Soldier in any Corps which His Majesty shall be pleased to direct; and such Court may, in addition to any other Punishment, sentence any such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial, it shall be lawful for His Majesty, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as to His Majesty shall seem meet; and if any Person who shall have been so adjudged or ordered to be transported, whether by the Sentence of a Court-martial or in pursuance of such Order of His Majesty, shall afterwards, without Licence from His Majesty or other lawful Authority, return to or be found at large in any Part of His Majesty's Dominions, either Abroad or at Home, other than the Place to which he shall have been adjudged or ordered to be transported, before the Expiration of the Term limited by such Sentence or Order, any such Offender, being duly convicted thereof, shall suffer Death as a Felon.

Powers of District or Garrison Courts-martial.

XI. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, *Africa*, and *New South Wales*, where it may consist of not less than Five Commissioned Officers, and that it shall be lawful for such Court, whether it be assembled under the Authority of this Act, or of an Act of the present Session of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, to proceed to try any Marine or Marines below the Rank of a Commissioned Officer for any Offence committed by any of them while serving in conjunction with His Majesty's Land Forces, and to sentence any such Marine to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immortality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Marine to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct in wilfully maiming or injuring himself, or any other Marine at the Instance of such Marine, with Intent to render himself or such other Marine unfit for the Service; in tampering with his Eyes; in malingering, feigning Disease, absenting himself from Hospital while under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure; in purloining or selling Government Stores; in stealing any Money or Goods the Property of a Comrade, of a Military Officer, or of any Military or Divisional or Regimental Mess; in producing false or fraudulent Accounts or Returns; in embezzling or fraudulently misapplying Public Money intrusted to him; or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature; and such Offender may be further put under Stoppages, not exceeding Two

Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Marine shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Marine, if convicted of the Charge of habitual Drunkenness, of his Allowance in lieu of Beer or Liquor, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, as may accord with the Rules and Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the aforegoing Cases the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in Command of the District, Garrison, Island, or Colony; and the President of every Court-martial other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial: Provided always, that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

Divisional Courts-martial.

XII. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Divisional Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops; provided that the Sentence shall not exceed that which a Divisional Court-martial is competent to award; and a Divisional Court-martial may sentence any Marine to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement not exceeding Twenty Days.

Detachment Courts-martial.

XIII. And be it enacted, That it shall be lawful for any Officer commanding any distinct Detachment or Portion of His Majesty's Royal Marine Forces which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries by any Person under the immediate Command of any such Officer, to summon and cause to be assembled a Court-martial, which shall consist of not less than Three Officers, for the Trial of any such Person, notwithstanding such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial: Provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the Army of which the Division, Brigade, Detachment, or Party to which any Person so tried shall belong shall have approved and confirmed the same.

Marking a Deserter.

XIV. And be it enacted, That every Marine convicted of Desertion by a General, a District, or a Garrison Court-martial, shall thereupon

thereupon forfeit all Advantage as to additional Pay, and to Pension on Discharge, in addition to any other Punishment which such Court may award; and it shall be lawful for any General Court-martial assembled to try the Crime of Desertion, in addition to any other Punishment such Court may award, to direct that the Offender be marked on the Left Side, Two Inches below the Arm Pit, with the Letter D, such Letter not to be less than Half an Inch long, and to be marked on the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Trial and Punishment for Embezzlement.

XV. And be it enacted, That every Officer and other Person employed in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to His Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall wilfully suffer any Money, Provisions, Forage, Arms, Clothes, Ammunition, or other Military or Royal Marine Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by a General Court-martial, which is hereby empowered to adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, with Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and that such Person shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage thereby sustained, to be ascertained by such Court-martial, which shall have Power to sentence the Offender to be imprisoned until the same, and any Fine which may be imposed, be paid and satisfied to His Majesty.

Witnesses.

XVI. And be it enacted, That all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, or by the President of a District or Garrison Court-martial, to give Evidence on any Court-martial, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if nevertheless arrested contrary to the Intent of this Act, be forthwith discharged out of Custody by the Order of the Court out of which the Writ or Process for such Arrest was issued; and if such Court shall not be then sitting, then by the Order of any Judge of the Court of King's Bench at *Westminster* or *Dublin*, or of the Courts of Session in *Scotland*, or Courts of Law elsewhere, as the Case may require, upon its being made appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending such Court-martial; and every Person so duly summoned as a Witness who shall not attend, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence at any such Court-martial, or to answer all such Questions as the Court may legally demand of him, shall be liable to be attached, proceeded against, and punished in the Court of King's Bench at *Westminster* or *Dublin*, or Court of Session or other Court of Law in *Scotland* or

or elsewhere, in the same Manner as Persons disobeying the Subpœna to testify or any similar Process of such Courts are liable to be proceeded against and punished.

Transportation of Offenders.

XVII. And be it enacted, That whenever His Majesty shall intend any Sentence of Transportation to be carried into execution, or shall be graciously pleased to extend His Royal Mercy, upon Condition of Transportation, to any Offender subject to the Punishment of Death by the Sentence of a General Court-martial, such Sentence (together with His Majesty's Pleasure upon the same, in Cases of Commutation of Sentence,) shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, to any Justice of the King's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon the same as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of the same, as they would be if the same had been made under the Authority of any other Act of Parliament; and every Person so ordered to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime, and sentenced to be transported, or receiving His Majesty's Pardon on Condition of Transportation; and from the Time when such Order of Transportation shall be made, every Law and Statute now in force touching the Escape of Felons shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender or to any Person applying in his or in His Majesty's Behalf, shewing the Christian and Surname of such Offender, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence

of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Imprisonment of Offenders.

XVIII. And be it enacted, That in all Cases of any Person belonging to the Royal Marine Forces being sentenced by any General or other Court-martial to Imprisonment in any House of Correction, Common Gaol, or Public Prison, the Gaolers and Keepers of such Houses of Correction, Gaols, or Prisons respectively, shall receive into their Custody every such Person, upon receiving an Order in Writing for that Purpose from the Commanding Officer of the Division at which such Court-martial shall have been held, together with a Copy of the Sentence attested by the said Commanding Officer, and shall detain him in Confinement in the Manner and for the Period mentioned in such Sentence, or until he be duly discharged, or shall deliver him up to such Person producing an Order in Writing to that Effect from any such Commanding Officer, although the Period for which he was committed shall not have expired; and every such Gaoler or Keeper refusing or neglecting to receive and confine any such Person, pursuant to such Sentence, or to discharge him upon any such Order, shall, on being convicted thereof, forfeit for every such Offence the Sum of One hundred Pounds.

Place of Confinement of Offenders may be changed.

XIX. And be it enacted, That whenever it shall be deemed expedient it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, by any Order in Writing to be made for that Purpose, under the Hand of the said Lord High Admiral, or the Hands of Two or more of the Commissioners aforesaid, and the Seal of the Office of Admiralty, to change the Place of Confinement expressed in any Sentence of a Court-martial to be held under the Authority of this Act, either previous to the Commitment of the Offender or under any such Sentence, or at any Time during the Period of his Confinement, and so from Time to Time as often as it shall be deemed requisite; and the Gaoler or other Person having the Custody of such Offender shall, immediately on the Receipt of any such Order, remove and convey such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order so to be made as aforesaid (for the Charges of which Removal and Conveyance he shall be allowed a Sum not exceeding One Shilling *per* Mile); and every Gaoler or Keeper of such last-mentioned Gaol or House of Correction shall thereupon, and upon being furnished with a Copy of the Sentence of Confinement, and of such Order of Removal, (such Copies respectively to be attested by the Secretary of the Admiralty for the Time being,) receive into his Custody, and shall confine pursuant to such Sentence, every such Offender, under the like Penalty and Forfeiture, in case of Refusal or Neglect, as is lastly herein-before provided.

Offences against former Mutiny

XX. And be it enacted, That all Crimes and Offences committed against any former Act made for the Regulation of the

Royal Marine Forces while on Shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may during the Continuance of this Act be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force, notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape, and come or be brought into this Realm, before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Acts may be tried under this Act.

Limitation as to Time.

XXI. And be it enacted, That no Person who shall have been acquitted or convicted of any Offence at any Court-martial shall be liable to be tried a Second Time for the same Offence, except in the Case of an Appeal from a Divisional to a General Court-martial; and that no Sentence of any Court-martial, signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

Appeal.

Revision of Sentence.

XXII. And be it enacted, That every Non-commissioned Officer, Drummer, or Private Marine who shall by the Sentence of any Court of Law or Court-martial, or by the Warrant of a Justice of the Peace, be imprisoned, or who shall be confined for Debt, shall forfeit all Right to any Pay from the Day of his Arrest during the Time of such Imprisonment; and the Gaoler or other Person in whose Custody he shall be shall receive the Sum of Sixpence *per Diem* out of the Pay of such Non-commissioned Officer or Private Marine, to be applied for his Subsistence during the Time he shall continue in Custody; which said Sum shall, under the Authority of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, be paid by the Paymaster of Royal Marines to the said Gaoler, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol shall be situate, accompanied by a Copy of the Order under which the Prisoner is confined: Provided always, that it shall be lawful for the said Lord High Admiral, or the said Commissioners, for the Time being, if they shall think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, to or on account of such Marine, during

Forfeiture of Pay.

Subsistence of Offenders while in Custody.

Arrears of Pay.

or

or after the Expiration of the Period of his Imprisonment: Provided also, that in case such Imprisonment shall be in any Place of Military Confinement, then the like Allowance of Sixpence *per* Day for Subsistence shall be made by the Paymaster of Royal Marines to the Marine so imprisoned, in lieu of all Pay or other Allowances: Provided also, that in the Calculation of the Period to entitle a Marine to Pension, or increased Rate of Pay for Services, no Part of the Time during which he may have been imprisoned shall be included.

Pay of Commissioned Officers charged with Criminal Offences.

XXIII. And be it enacted, That no Commissioned Officer who shall be arrested and committed to Prison upon a Charge of any Criminal Offence shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Company to which he shall belong or which he shall be ordered to join; and if he shall be acquitted of the Offence for which he was committed, he shall, upon his Return to his Company, with the Approbation of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, but not otherwise, be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment until the Day of his Return to the Company to which he shall belong or which he shall be ordered to join.

Report of Proceedings of Courts-martial.

XXIV. And be it enacted, That every Judge Advocate or Person officiating as such at any General Court-martial, or the President of any other Court-martial, shall transmit, with all reasonable Expedition, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and that the Person tried by any General Court-martial shall, upon Application to the Secretary of the Admiralty, be entitled, at any Time after the Expiration of Three Calendar Months from the Date of such Sentence, but not sooner than Three Months, whether such Sentence be approved or not, to a Copy of the Proceedings and Sentence, upon paying reasonably for the same, according to the Length thereof; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Subsequent Enlistment no Protection from Punishment for Desertion.

XXV. And be it enacted, That every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of Right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence, as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, upon the Trial of any Marine

Marine for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Prisoner guilty, and then only for the Purpose of fixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial.

Apprehension of Deserters.

XXVI. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer, Marine, or other Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if, by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Marine unlawfully absent from his Duty, such Justice shall forthwith cause him to be conveyed to the nearest or most convenient public Prison in the same or any next adjoining County, and shall transmit an Account thereof, in the Form prescribed for that Purpose in the Schedule annexed to this Act, to the Secretary of the Admiralty, with a Description of the Person of such Deserter, and the Name of the Division to which he shall belong, and also certifying the Names of the Persons by whom the Deserter was apprehended; and if the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall be satisfied such last-mentioned Persons are justly entitled to a Reward for such Apprehension, the said Secretary shall in return transmit to such Justice an Order upon the Paymaster of Royal Marines the Sum of Twenty Shillings as a Reward to the Persons so certified to be entitled thereto; which Reward shall be paid by the Paymaster, and charged against the Pay and Subsistence of any such Deserter, and stopped out of the same: Provided always, that no Fee or Reward shall be taken by any Justice or his Clerk in respect of any Information, Commitment, or Report in the Case of any such Deserter.

Fraudulent Confession of Desertion.

XXVII. And be it enacted, That every Person who shall voluntarily surrender or deliver himself up as a Deserter from His Majesty's Royal Marine Forces, or who, upon being apprehended on any Charge, shall, in the Presence of the Justice, confess himself to be a Deserter from such Forces, shall be deemed to have been duly enlisted, and to be a Marine, and shall be liable to serve in the said Forces, whether he shall have been ever actually enlisted as a Marine or not; and if the Person so confessing himself to be a Deserter shall at the Time actually belong to the Royal Marine Forces, he shall be deemed to be and shall be dealt with as a Deserter, or shall be liable to be punished as a Rogue and Vagabond, or may be prosecuted and punished for obtaining Money under false Pretences; and the Confession and receiving Subsistence as a Marine by such

Person shall be sufficient Evidence of the false Pretence and obtaining Money.

Reward for apprehending Marines attempting to desert.

XXVIII. And whereas it has been judged expedient, for the Prevention of Desertion, to establish Outlying Parties in the Vicinity of the respective Divisions of Royal Marines, for the Purpose of intercepting such Men as may straggle or attempt to desert from Head Quarters, and it is fit that Encouragement should be given to Persons composing such Parties to be diligent and active in their Duty in this Behalf; be it therefore enacted, That for and in respect of every Non-commissioned Officer or Private Marine so straggling or attempting to desert, who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be paid upon the delivering up of such Marine; which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Non-commissioned Officer and Private Marine, in like Manner as the Reward or Sum of Twenty Shillings is herein-before directed to be charged against, stopped, and retained out of the Pay and Subsistence of every Deserter.

Penalty for inducing or assisting to desert.

XXIX. And be it enacted, That every Person who shall in any Part of His Majesty's Dominions directly or indirectly persuade any Marine to desert shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter from His Majesty's Royal Marine Service in deserting or in concealing himself from such Service, knowing him to be such Deserter, shall forfeit for every such Offence the Sum of Twenty Pounds.

Custody and Subsistence of Deserters.

XXX. And be it enacted, That the Gaoler or other Person having the immediate Inspection of any Prison, Gaol, or House of Correction, shall diet and supply every Marine in his Custody with Fuel and other Necessaries according to the Regulations of the Prison to which he shall be so committed, and shall receive on account of every such Marine, during his Imprisonment, Sixpence *per Diem*, which the Paymaster of Royal Marines shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing, signed by any Justice within whose Jurisdiction such Prison shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison is defrayed; and all Gaolers and Keepers of Prisons shall and they are hereby authorized and required to receive and confine every Deserter from the Royal Marines who shall be delivered into their Charge by any Officer, Soldier, or Marine conveying any such Deserter under lawful Authority, on the Production of the Warrant or Authority on which such Deserter shall have been taken or detained; and every Gaoler or Keeper so receiving a Deserter shall be entitled to One Shilling for

the safe Custody of him, while halted on the March, and to such daily Subsistence as is herein-before provided for the Maintenance of Marines confined under any Sentence or otherwise.

Notice of Expiration of Imprisonment.

XXXI. And be it enacted, That every Gaoler, having Notice that any Person in his Custody is a Marine liable to serve His Majesty, shall, previous to the Expiration of the Period of the Imprisonment of such Marine, give One Month's Notice, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary of the Admiralty.

Penalty for forcible Entry.

XXXII. And be it enacted, That every Marine Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Enlisting and swearing of Recruits.

XXXIII. And be it enacted, That every Person who shall receive Enlisting Money to serve in the Royal Marines, from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in His Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall cause to be taken down in Writing the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Marine, he shall, within Four Days but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Marines; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record, or cause to be recorded, in Writing, his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Article of the Second Section of the Articles of War against Mutiny and Desertion, to be read over, in his own Presence, to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed, before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

XXXIV. And

Dissent and Relief from Enlistment.

XXXIV. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to his Enlistment, shall be forthwith discharged in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent to return such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice; and it shall also be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, provided it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto and demanding the same: Provided always, that no Recruit who has actually though erroneously been discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give to him a Certificate, under his Hand, specifying the Cause thereof.

Apprentices enlisting to be liable to serve after the Expiration of their Apprenticeship.

XXXV. And be it enacted, That any Person duly bound as an Apprentice, who shall enlist into His Majesty's Royal Marine Forces, and shall state to the Magistrate before whom he shall be attested, that he is not an Apprentice, shall be deemed guilty of obtaining Money by false Pretences, and shall, after the Expiration of his Apprenticeship, whether he shall have been so convicted and punished or not, be liable to serve as a Marine; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Royal Marine Forces.

Punishment of Apprentices enlisting.

XXXVI. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Division, Detachment, Recruiting Party, or Ship of His Majesty, except under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath (which Oath he is hereby empowered to administer), and require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to and a Copy left with the Officer under whose Command the Apprentice shall then be, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer, shall commit

commit the Offender to the Common Gaol of the said Place where the Apprentice shall be apprehended, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or next succeeding General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender in *Scotland* may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; and any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master: Provided always, that every Apprentice who shall enlist into the Royal Marines during the Period of his Apprenticeship shall be deemed guilty of a Misdemeanor, and upon Conviction be liable to the same Punishment as Offenders convicted of obtaining Money under false Pretences are liable to; and every such Apprentice shall, after the Expiration of his Apprenticeship, whether he shall have been prosecuted or not, be liable to serve in His Majesty's Royal Marine Forces; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, he may be apprehended as a Deserter from His Majesty's Marine Forces.

Offences connected with Enlistment.

XXXVII. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days as aforesaid, such Recruit shall be deemed to be enlisted and a Private in His Majesty's Royal Marine Forces, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce, to the Justice before whom the Recruit ought regularly to have been brought for Attestation, a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the Event of such Recruit being afterwards

apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Royal Marine Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into a Garrison or Veteran or Invalid Battalion, and shall be entitled to receive such Proportion or Residue of Bounty only as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any Act or any Rules and Regulations to the contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have wilfully concealed his having been a Marine or Soldier and discharged, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity upon being attested, or designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law now in force may be inflicted on Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice at the Time of his Attestation, and shall thereby obtain any Enlisting Money, or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith;* and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his having been attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man who, having been enrolled to serve in the Militia, and who at the Time of offering to enlist into the Marines shall deny that he is a Militia Man, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, or upon the Production of the Attestation and the before-mentioned Declaration of such Person,

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

certified by the Secretary of the Admiralty, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Division of His Majesty's Royal Marine Forces into which he has so enlisted; provided also, that every such Person shall be liable to serve in His Majesty's Royal Marine Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Yearly Servants enlisting to be entitled to a Proportion of their Wages.

XXXVIII. And be it enacted, That it shall be lawful for the Justice before whom any Recruit (being a hired Servant) shall be attested, before the Expiration of the Term of Service for which he shall have been hired, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he shall have actually served, to be forthwith paid by the Master, upon whom the said Justice shall make an Order accordingly, and if the same be not paid within Four Days shall enforce the Payment thereof by the same Means as pecuniary Penalties may under this Act be recovered before a Justice.

Penalty on Officers offending as to Enlistment.

XXXIX. And be it enacted, That every Marine Officer who shall designedly act contrary to the Provisions of this Act, in any respect regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service.

Claims of Masters to Apprentices.

XL. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Marine in His Majesty's Service, unless such Master shall, within One Calendar Month next after such Apprentice shall have left his Service, go before some Justice, and take and subscribe the Oath mentioned in the Schedule to this Act annexed, and at the Time of making his Claim produce to the Officer under whose Command the Recruit shall be the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; nor unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, (not having been above the Age of Fourteen when so bound,) and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, (not having been above the Age of Sixteen when so bound,) and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract of Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture so duly executed shall, within Three Months after the Commencement of the Apprenticeship and before the Period of Enlistment, have been produced

produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; nor unless any such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master, who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice, shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Musters, and Penalty on false Musters.

XLI. And be it enacted, That Musters, as has been customary, shall be taken of every Division or Company of Royal Marines once in every Calendar Month, as shall be appointed; and no Officer or Marine shall be absent from such Muster unless duly certified to be employed on some other Duty of the Corps, or sick, or in Prison, or on Furlough; and every Person belonging to His Majesty's Service who shall give or procure to be given any untrue Certificate, thereby to excuse any Person from any Muster or other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall willingly allow or sign any false Muster or Duplicate thereof, or shall directly or indirectly take or receive any Money or Gratuity for mustering any Person, or for signing any Muster Roll or Duplicate, or shall knowingly muster any Person by a wrong Name, shall, upon Proof by Two Witnesses before a General Court-martial, for any such Offence be forthwith cashiered, and disabled to have or hold any Civil or Military Office or Employment in the Service of His Majesty; and any Person, who shall fraudulently offer or procure himself to be falsely mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Proof thereof by the Oaths of Two Witnesses before some Justice of the Peace residing near to the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds, and the Informer, if he belong to His Majesty's Service, shall, if he demand it, be forthwith discharged; and if any Person not belonging to His Majesty's Service shall give or sign any untrue Certificate of Illness or otherwise, in order to excuse any Officer or Marine from Appearance at any Muster, or whereby His Majesty's Service may be defrauded, every Person so offending shall for every such Offence forfeit the Sum of Twenty Pounds.

Verifying of Muster Rolls.

XLII. And be it enacted, That all Muster Rolls and Pay Lists of Royal Marines required to be verified upon Oath shall be sworn before and attested by any Justice of the Peace, without Fee or Reward to himself or his Clerk.

XLIII. And

XLIII. And be it enacted, That when there shall not be any Officer of His Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice, who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment, according to the Provision of this Act, for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough. Extension of Furlough in case of Sickness.

XLIV. And be it enacted, That every Marine upon being discharged from the Service shall be entitled to an Allowance (not exceeding in any Case the Amount of Twenty-one Days Pay) to enable him to reach his Home, which Allowance shall be calculated according to the Distance he has to travel: Provided always, that no Person who shall purchase his Discharge, or be discharged on account of Misbehaviour, or at his own Desire, shall be entitled to any such Allowance. Marching Money on Discharge.

XLV. And whereas there is and may be Occasion for the marching and also for the quartering of the Royal Marine Forces when on Shore; be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, it shall be lawful for all Constables and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Marines whether marching or otherwise, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, (not exceeding for each Officer the Number for which Forage is allowed by His Majesty's Regulations,) in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of such Houses, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Times when Marines are on a March shall any of them be billetted above One Mile from the Place mentioned in the Route; and in all Places where Marines shall be billetted in pursuance of this Act, the Officers and their Horses shall be billetted in one and the same Billetting of Marines.

House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were therein locally situate: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present, and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Marines and Horses present to be billetted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billetted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices within whose Jurisdiction such Marines are billetted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billetted upon other Persons, as they shall see Cause; and when any Horses belonging to the Officers of His Majesty's Royal Marine Forces shall be billetted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person having Stables by this Act liable to have Officers and Marines billetted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billetted in any Place with another Man or Horse billetted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billetted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to His Majesty's Service: Provided always, that, to prevent or punish all Abuses in billetting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constable, together with the Names of the Persons upon whom such Officers and Marines are billetted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to their Houses; and it shall be lawful to billet Officers and Marines in *Scotland*, according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England*; and no Officer shall be obliged to pay for his Lodging where he shall be regularly billetted,

except in the Suburbs of *Edinburgh:* Provided always, that no Justice, being an Officer of Royal Marines, shall directly or indirectly be concerned in billetting or appointing Quarters under this Act.

Allowance to Innkeepers.

XLVI. And be it enacted, That the Innholder or other Person on whom any Marine is billetted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder, or other Person furnishing the same, shall be paid the Sum of Ten-pence; and all Innholders, and other Persons on whom Marines may be billetted in *England*, (except on the March, when they are entitled to be furnished with the hot Meal as aforesaid,) shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of a Half-penny *per Diem* for each Marine; and the Sum to be paid the Innholder or other Person on whom any of the Horses belonging to His Majesty's Royal Marine Forces shall be billetted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person for Horses billetted, by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*, and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billetted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who shall actually receive the Pay and Subsistence of the said Men shall every Four Days, or before they shall quit their Quarters, if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billetted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same, then upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters are situate, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to the Complainant, to order the Pay-master of Royal Marines to pay the Amount due, and charge the same against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of the Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billetted, and sign a Certificate thereof; which Account and Certificate,

Certificate, on being transmitted to the Paymaster of Royal Marines, shall be by him immediately paid, and charged to the Officer's Account.

Supply of Carriages.

XLVII. And be it enacted, That for the regular Provision of Carriages for the Royal Marine Forces and their Baggage, on their Marches in *England* and *Ireland*, all Justices of the Peace within their several Jurisdictions, being duly required thereunto by Order of the said Lord High Admiral, or Two or more of the Commissioners for executing the said Office of Lord High Admiral, for the Time being, shall, on the Production of such Order to them, or any One or more of them, by the Officer or Non-commissioned Officer of the Party of Marines so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which such Marines shall be ordered to march, (for each of which Warrants a Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, Oxen, and Drivers therein mentioned, (allowing sufficient Time to do the same,) specifying the Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which Number only so specified Payment shall be demanded, and which Number of Miles shall not, except in Cases of pressing Emergency, exceed the Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and in case sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Marines may be quartered on the March, the Justice or Justices residing nearest to such Place shall cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Person,) and may by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, so far as the same can be done.

Rates for Carriages.

XLVIII. And be it enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight, shall travel, Six-pence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further

further Rates may be added, not exceeding a total additional Sum *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, and Sixpence, as may seem reasonable to the Justices assembled at General Sessions in *England*, for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions; (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice, shall be transmitted to the Secretary of the Admiralty within Three Days after the making thereof;) and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when additional Rates or Compensation shall be granted, the Justice shall insert, in his own Hand, in the Warrant, the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding as his Voucher: Provided always, that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in Presence of a Justice or Constable: Provided also, that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*: Provided also, that a Cart with One or more Horses, for which the Furnisher shall receive Nine-pence a Mile, shall be required to carry Fifteen Hundred Weight at the least; and that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses or Oxen, or Weight of Loading of the aforesaid Carriages, nor shall any such Carriages on that Account be stopped or detained.

Exemption from Tolls.

XLIX. And be it enacted, That all Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, and all Carriages and Horses when employed in conveying Persons or Baggage

under the Provisions of this Act, or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto; and that when any Officers or Marines on Service shall have Occasion in the March to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

L. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billetting any Officers or Marines in any Part of the United Kingdom, shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels, shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse, at the Rate established by any Act in force in that respect; or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty upon Officers of Marines so offending.

LI. And be it enacted, That if any Officer of Royal Marines shall take upon him to quarter Men otherwise than is allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Justice, Constable, or other Civil Officer, tending to deter and

discourage any of them from performing any Part of their Duty under this Act, or to do any thing contrary thereto, such Officer shall for every such Offence, being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses, be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided a Certificate thereof be forthwith transmitted by the said Justices to the Secretary of the Admiralty, and that the Conviction be affirmed at some Quarter Sessions of the Peace for the said County to be held next after the Expiration of Three Months after such Certificate shall have been transmitted as aforesaid; and if any Marine Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Marines, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any House, against the Consent of the Occupier, he shall for any of the said Offences, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Marine or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same shall be required and can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, he shall forfeit for every Offence any Sum not exceeding Five Pounds or less than Forty Shillings.

Penalty for purchasing Clothes, &c. from any Marine.

LII. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Ammunition, Clothes, Cap, or other Military Furniture or Appointments, from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or any other Articles belonging to any Marine or Marine Deserter, which are generally deemed Regimental Necessaries, according to the Custom of the Royal Marine Corps, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence the Sum of Ten Pounds, together with Treble the Value of all or any the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property as in the Case of stolen Goods.

LIII. And

Penalty on Officers killing Game.

LIII. And for the better Preservation of the Game and Fish in or near such Place where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Person or Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom, and who upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not liable to take Parish Apprentices.

LIV. And be it enacted, That no Officer of His Majesty's Royal Marine Forces, residing in Barracks or elsewhere under Military Law, shall be deemed liable to have any Parish Poor Child bound Apprentice to him.

Mode of recording a Marine's Settlement.

LV. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Marine having a Wife, Child, or Children, shall be quartered, may summon such Marine before him, (which Summons such Marine is hereby required to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Administration of Oaths.

Perjury.

LVI. And be it enacted, That all Oaths which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath in any Case wherein an Oath is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Licences of Canteens.

LVII. And be it enacted, That it shall be lawful for any Two Justices of the Peace, within their respective Jurisdictions, to grant or transfer any Licence for selling by Retail any Spirit, Beer, Wine, Cider, or Perry to any Person or Persons applying for the same who shall hold any Canteen under any Lease thereof, or by Agreement or other Authority under the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, for the Time being, or from the Paymaster and Inspector General of His Majesty's Royal Marine Forces, without regard to the Time of Year, or any Notices or Certificates required by any Act in respect of such Licences,

Licences, and the Commissioners of Excise within their respective Districts shall also grant or transfer any such Licence as aforesaid; and such Persons holding such Canteens, and having such Licences as aforesaid, may sell therein Victuals, and all such exciseable Liquors as they shall be licensed and empowered to sell, without being subject for so doing to any Penalty or Forfeiture whatever.

Limitation of Actions.

LVIII. And be it enacted, That if any Action shall be brought against any Member or Minister of a Court-martial to be assembled under the Authority of this Act, in respect of the Proceedings or the Sentence thereof, or against any other Person for any thing done in pursuance or under the Authority of this Act, the same shall be brought in some one of the Courts of Record at *Westminster* or *Dublin*, or in the Court of Session in *Scotland*, and shall be commenced within Six Months next after the Cause of Action shall arise, and that it shall be lawful for the Defendant or Defendants therein to plead thereto the General Issue, and to give all special Matter in Evidence on the Trial; and if the Verdict shall be for the Defendant in any such Action, or if the Plaintiff shall become Nonsuit, or suffer any Discontinuance thereof, or if, in *Scotland*, the Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the Matter shall be tried shall allow the Defendant Treble Costs, for the Recovery of which he shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants.

Recovery of Penalties.

LIX. And be it enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value and Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value and Treble Value shall and may be recovered, in any Part of the United Kingdom, before One or more Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others;* and by another Act, passed in the Fifth Year of the Reign of His said late Majesty, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland* for the Recovery of all such Penalties and Forfeitures as fully to all Intents as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed, exceeding Twenty Pounds, shall be recovered by Action in some of the Courts of Record

3 G. 4. c. 23.

5 G. 4. c. 18.

at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of His Majesty's Dominions, in any of the Royal or superior Courts of such Isles or other Parts of His Majesty's Dominions.

Appropriation of Penalties.

LX. And be it enacted, That one Moiety of every such Penalty or Forfeiture (not including any Treble Value of any Articles) shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty, shall be paid over to the Paymaster of the Royal Marine Forces, to be applied in such Manner as the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral shall direct; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days thereafter at the furthest, report the same and his Adjudication thereof to the Secretary of the Admiralty.

Definition of Terms.

LXI. And be it enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, who shall act in the Execution of this Act; and all Provisions for billetting Marines in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billetted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billetted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London*, admitted to their Freedom of that Company in Right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul, duly accredited as such.

LXII. And

Notification to Parishes of good or bad Conduct of Marines.

LXII. And be it enacted, That the Churchwardens of every Parish in *England*, and the Constable or other Officer of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary of the Admiralty of the Name of any Marine belonging to the said Parish or Place who has for meritorious Conduct received His Majesty's special Approbation, or who in consequence of Misconduct has been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of such Notification.

Marines to be subject to the Discipline of the Navy while on board Ship.

LXIII. And it is hereby declared and enacted, That all His Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of any of His Majesty's Ships or Vessels, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of His Majesty's Forces by Sea, and to the Rules and Discipline of the Royal Navy, and shall and may be proceeded against and punished for Offences committed by them while so borne, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished.

Duration of Act.

LXIV. And be it enacted, That this Act shall continue in force within *Great Britain* from the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one, until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two inclusive; and within *Ireland* from the First Day of *April* One thousand eight hundred and thirty-one, until the First Day of *April* One thousand eight hundred and thirty-two inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *May* One thousand eight hundred and thirty-one, until the Twenty-fifth Day of *May* One thousand eight hundred and thirty-two inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America* and *Cape of Good Hope*, from the Twenty-fifth Day of *July* One thousand eight hundred and thirty-one, to the Twenty-fifth Day of *July* One thousand eight hundred and thirty-two inclusive; and in all other Places from the Twenty-fifth Day of *September* One thousand eight hundred and thirty-one, to the Twenty-fifth Day of *September* One thousand eight hundred and thirty-two inclusive.

Alteration of Act.

LXV. And be it enacted, That this Act may be altered, varied, or repealed by any other Act or Acts to be passed during this Session of Parliament.

SCHE-

SCHEDULE to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will truly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Royal Marine Forces, and according to an Act now in force for the Regulation of the said Forces while on Shore, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law.
So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?

8. Are

8. Are you willing to be attested to serve in the Royal Marine Forces until you shall be legally discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any Regiment, or to the Marines, Ordnance, or Navy?
13. Have you served in the Army, Marines, Ordnance, or Navy?

Note.— The Justice is directed, in putting the 11th Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

OATH to be taken by a RECRUIT enlisting.

I do make Oath, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand

{Signature of the Recruit.

Witness present.

Sworn before me at this Day of One thousand eight hundred and .

Signature of the Justice.

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,

Any distinctive Mark.

to wit. } I One of His Majesty's Justices of the Peace of do hereby certify, That the above is the Description of the Recruit ; and in my Presence all

all the aforegoing Questions were put to the said * ; that the Answers written opposite to them are those which he gave to me; and that the Second and Third Sections of the Rules and Articles for the better Government of His Majesty's Royal Marine Forces while on Shore, against Mutiny and Desertion, were read over to him; that he took the Oath of Allegiance and Fidelity; that he received the Sum of on being attested this Day; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last abscond and quit my Service without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of His Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

DESCRIPTION RETURN of committed to Confinement at on the Day of as a Deserter from the Royal Marines.

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

_____ *Signature and Address of Magistrate.*

_____ *Signature of Prisoner.*

_____ *Signature of Informer.*

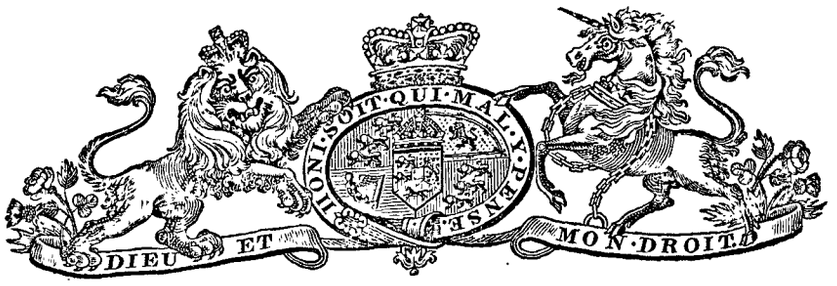
* Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

_____ *Signature of Surgeon.*

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XV.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. [15th *March* 1831.]

WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland*, in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by His Majesty, and this present Parliament, that a Body of Forces should be continued, for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of Eighty-eight thousand four hundred and ninety-six Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite, for the retaining all the beforementioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment

Number of the Forces.

Punishment than the usual Forms of the Law will allow; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall, at any Time during the Continuance of this Act, begin, excite, cause, or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post, to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of His Majesty's, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy, without His Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or use any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of His Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death, or such other Punishment as by a Court-martial shall be awarded.

Crimes punishable by Death.

II. And be it enacted, That nothing in this Act contained shall be construed to exempt any Officer or Soldier from being proceeded against by the ordinary Course of Law; and any Commanding Officer who shall neglect or refuse, when Application is made to him for that Purpose, to deliver over to the Civil Magistrate any Officer or Soldier accused of any Capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land, or shall wilfully neglect or refuse to assist the Officers of Justice in apprehending such Offender, shall, upon Conviction thereof in any Prosecution in any of His Majesty's Courts at *Westminster*, *Dublin*, or *Edinburgh*, be deemed to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service, and a Certificate thereof shall be transmitted to the Judge Advocate in *London*; provided that no Person, being acquitted or convicted of

The ordinary Course of Law not to be interfered with.

any Capital Crime, Violence, or Offence, by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be punished by a Court-martial for the same otherwise than by cashiering.

Soldiers not to be taken away from the Service for Debts under 30*l.*

III. And be it enacted, That no Person whatever (except an Apprentice) enlisted into His Majesty's Service as a Soldier shall be liable to be arrested or taken therefrom by reason of the Warrant of any Justice, on account of any Breach of Contract or Engagement to serve or work for any Employer; and no Person enlisted as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the disembodied Militia, shall be liable to be taken out of His Majesty's Service by any Process or Execution whatsoever, other than for some Criminal Matter, unless an Affidavit shall be made by the Plaintiff, or some one on his Behalf, for which no Fee shall be taken, before some Judge of the Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, of which Affidavit a Memorandum shall, without Fee, be endorsed upon the Back of such Process, that the original Debt for which the Action has been brought or Execution sued out amounts to the Value of Thirty Pounds at least, over and above all Costs of Suit in the Action or Actions on which the same shall be grounded; and any Judge of such Court may examine into any Complaints made by a Soldier, or by his Superior Officer, and by Warrant under his Hand discharge such Soldier without Fee, he being shewn to be duly enlisted, and to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Place of Residence before such Listing, may file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, and proceed therein to Judgment and Outlawry, and have Execution other than and against the Body.

The King may make Articles of War in conformity with this Act.

IV. And be it enacted, That it shall be lawful for His Majesty to make Articles of War for the better Government of His Majesty's Forces, which Articles shall be judicially taken notice of by all Judges, and in all Courts whatsoever; and Copies of the same, printed by the King's Printer, shall, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War, signed with his own Hand and Name, to the Judge of His Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of His Majesty's Dominions Abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or the *British* Isles, shall be subject by such Articles of War to any Punishment extending to Life or Limb for any Crime which is not expressed to be so punishable by this Act, nor in any Manner or under any Regulations which shall not accord with the Provisions of this Act.

V. And

Constitution of Courts-martial.

V. And be it enacted, That His Majesty may from Time to Time grant a Commission, under the Royal Sign Manual, for the holding of General Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, in like Manner as has been heretofore used; and that for bringing Offenders against the Articles of War to Justice it shall be lawful for His Majesty to erect and constitute Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, as well as to grant His Royal Commissions or Warrants to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of His Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland*, and *British* Isles, as in any of His Majesty's Garrisons and Dominions or elsewhere beyond the Seas, for convening as well as for authorizing any Officer under their respective Command, not below the Degree of a Field Officer, to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under their several Command, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command; and any Person subject to this Act, who shall in any of His Majesty's Dominions beyond the Sea or elsewhere commit any of the Offences for which he may be liable to be tried by Courts-martial by virtue of this Act, may be tried and punished for the same in any other Part of His Majesty's Dominions where he may have come after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Composition of General Courts-martial.

VI. And be it enacted, That a General Court-martial convened in any Part of the King's Dominions, (*Bermuda*, *Africa*, and *New South Wales* excepted,) or in the Settlements of the *East India* Company, shall, in order to have Power to try a Commissioned Officer, or to pass Sentence of Death or Transportation on any Offender, consist of not less than Thirteen Commissioned Officers, in which Sentence of Death Nine at the least of the Officers of any Court consisting of Thirteen shall concur; and if to try any Person not of the Rank of a Commissioned Officer, shall consist of not less than Nine; and such General Courts-martial convened in *Bermuda*, or out of the King's Dominions, excepting *Africa* and *New South Wales*, shall have not less than Seven, and in *Africa* and *New South Wales* not less than Five Commissioned Officers; and in all Cases where such General Courts-martial as aforesaid shall consist of more or fewer Officers than Thirteen, no Judgment of Death shall pass without the Concurrence of Two Thirds at the least of the Officers present; and the President shall in no Case be the Officer commanding in chief or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

Powers of General Courts-martial.

VII. And be it enacted, That a General Court-martial may sentence any Soldier to Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which the Court may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, and Neglect of Duty; and

and a General Court-martial may, in addition to any such Punishment as aforesaid, sentence any Offender to Forfeiture of all Advantage as to additional Pay, and Pension on Discharge; and whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may, instead of awarding a Corporal Punishment or Imprisonment, adjudge the Offender, according to the Degree of the Offence, to be transported as Felon for Life or for a certain Term of Years, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which His Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which His Majesty shall please to direct; and the Court may, in addition to any other Punishment, sentence such Offender to forfeit all Advantage as to Increase of Pay, or as to Pension on Discharge, which might otherwise have accrued to such Offender; provided that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial, it shall be lawful for His Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces at the Presidency to which the Offender shall belong, instead of causing such Sentence to be carried into execution, to order the Offender to be transported as a Felon, either for Life or for a certain Term of Years, as shall seem meet to His Majesty, or, if in the *East Indies*, to the Officer commanding as aforesaid; and if any Person transported as a Felon, whether in pursuance of the original Sentence of the Court-martial, or in pursuance of such Order from His Majesty, shall afterwards return or be found at large, without Leave from His Majesty or other lawful Authority, within any Part of His Majesty's Dominions Abroad or at Home, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence or Order, and shall be duly convicted thereof, shall suffer Death as a Felon.

Trial by General Court-martial for Embezzlement.

VIII. And be it enacted, That every Paymaster or other Commissioned Officer of His Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, or Damage of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to His Majesty's Forces or for His Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to be transported as a Felon for Life or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from His Majesty's Service, and Incapacity of serving His Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expence the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and the Loss and Damage so ascertained as aforesaid shall be a Debt to His Majesty, and may be recovered in any of His Majesty's

Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in His Majesty's Colonies where a Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known.

Powers of District or Garrison Courts-martial.

IX. And be it enacted, That a District or Garrison Court-martial shall consist of not less than Seven Commissioned Officers, except in *Bermuda*, *Africa*, and *New South Wales*, where it may consist of not less than Five Commissioned Officers, and may sentence any Soldier to any Imprisonment, solitary or otherwise, and with or without hard Labour, in any public Prison or other Place which such Court may appoint, or to Corporal Punishment, not extending to Life or Limb, for Immorality, Misbehaviour, or Neglect of Duty; and such Court may, in addition to either of the said Punishments, sentence a Soldier to Forfeiture of all Advantage as to additional Pay, and to Pension on Discharge, for disgraceful Conduct,

In wilfully maiming or injuring himself, or any other Soldier, at the Instance of such Soldier, with Intent to render himself or such other Soldier unfit for the Service:

In tampering with his Eyes:

In malingering, feigning Disease, absenting himself from Hospital whilst under Medical Care, or other gross Violation of the Rules of any Hospital, thereby wilfully producing or aggravating Disease or Infirmity, or wilfully delaying his Cure:

In purloining or selling Government Stores:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess:

In producing false or fraudulent Accounts or Returns:

In embezzling or fraudulently misapplying Public Money entrusted to him:

Or for any other disgraceful Conduct, being of a cruel, indecent, unnatural, felonious, or fraudulent Nature:

And such Offender may be further put under Stoppages, not exceeding Two Thirds of his daily Pay, until the Amount be made good of any Loss or Damage arising out of his Misconduct; and if any Soldier shall be convicted of any such disgraceful Conduct, and shall be sentenced to Forfeiture of his Claim to Pension, the Court may further recommend him to be discharged with Ignominy from His Majesty's Service; and any such Court shall deprive a Soldier, if convicted of the Charge of habitual Drunkenness, of his Allowance in lieu of Beer or Liquor, or of additional Pay, or of such Portion of his daily Pay, for any Period not exceeding Two Years, as may accord with His Majesty's Articles of War, subject to Restoration on subsequent good Conduct; and in addition to any such Punishment, the Court may, if it shall think fit, sentence such Offender to Imprisonment or to Corporal Punishment; provided that in all the foregoing Cases the Sentences of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony; and the President of every Court-martial, other than a General Court-martial, not being under the Rank of Captain, shall be appointed by the Officer convening such Court-martial; provided that such Court-martial shall not have Power to pass any Sentence of Death or Transportation.

X. And be it enacted, That in Cases of Mutiny and gross Insubordination, or any Offences committed on the Line of March, the Offence may be tried by a Regimental Court-martial, and the Sentence confirmed and carried into execution on the Spot by the Officer in the immediate Command of the Troops, provided that the Sentence shall not exceed that which a Regimental Court is competent to award; and a Regimental Court-martial may sentence any Soldier to Imprisonment, with or without hard Labour, for any Period not exceeding Thirty Days, and to solitary Confinement not exceeding Twenty Days. Regimental Court-martial.

XI. And be it enacted, That every Soldier convicted of Desertion by a General, or District, or Garrison Court-martial, shall thereupon forfeit all Advantage as to additional Pay, and to Pension on discharge, in addition to any other Punishment which such Court may award; and it shall be lawful for any Court-martial, empowered to try the Crime of Desertion, in addition to any other Punishment, to direct that the Offender be marked on the Left Side, Two Inches below the Arm-pit, with the Letter (D.), such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated. Marking a Deserter.

XII. And be it enacted, That it shall be lawful for any Officer commanding any District, Detachment, or Portion of His Majesty's Troops which may at any Time be serving out of His Majesty's Dominions, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or Resident in any such Countries, by any Person serving with or belonging to His Majesty's Armies, being under the immediate Command of any such Officer, to summon and cause to assemble a Court-martial, which shall consist of not less than Three Officers, for the Purpose of trying any such Person, notwithstanding any such Officer shall not have received any Warrant empowering him to assemble Courts-martial; and every such Court-martial shall have the same Powers in regard to summoning and examining Witnesses, Trial of and Sentence upon Offenders, as are granted by this Act to General Courts-martial; provided that no Sentence of any such Court-martial shall be executed until the General commanding in chief the Army of which the Division, Brigade, Detachment, or Party to which any Person so tried, convicted, and adjudged to suffer Punishment shall belong, shall have approved and confirmed the same. Powers of a Detachment Court-martial.

XIII. And be it enacted, That in certain Cases, where it may be necessary or expedient, Officers of His Majesty's Marine Forces may sit upon Courts-martial in conjunction with Officers of His Majesty's Land Forces, and such Courts-martial shall be regulated, to all Intents and Purposes, in like Manner as if they were composed of Officers of the Land Forces only, whether the Commanding Officer by whose Orders such Court-martial is assembled belongs to the Land or to the Marine Forces; and Officers of His Majesty's Land Forces, and Officers in the Service of the *East India* Company, when serving together, may be associated in Courts-martial, which shall, Mixture of Officers upon Courts-martial.

shall, to all Intents and Purposes, be regulated in like Manner as if consisting wholly of Officers of His Majesty's Land Forces, or wholly of Officers in the Service of the *East India* Company; save and except that on the Trial of any Person in His Majesty's Service, the Provisions of this Act, and the Oaths thereby prescribed, shall be applicable; and on the Trial of any Officer or Soldier in the Service of the *East India* Company, the Provisions of an Act passed in the Fourth Year of the Reign of His Majesty, to amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and the Oaths thereby prescribed, shall be applicable, notwithstanding any Officer in the actual Service of the said Company may have a Commission from His Majesty.

Power to administer Oaths.

XIV. And be it enacted, That all General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceedings before the same.

Proceedings of Courts-martial.

XV. And be it enacted, That in all Trials by Courts-martial to be held by virtue of this Act every Member assisting at such Trial, before any Proceedings be had thereupon, shall take the Oath in the Schedule to this Act annexed, before the Judge Advocate or his Deputy, or Person officiating as such, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member shall administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon: Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, or by the President of a District or Garrison Court-martial, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested; or if such Court be not sitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or the Court of Session in *Scotland*, or Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and that all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or to answer all

all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of His Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness had neglected to attend in a Trial in any Proceeding in that Court.

Appeal.

XVI. And be it enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be liable to be revised more than once; and no Witness shall be examined nor shall any additional Evidence be received by the Court on such Revision.

Report of Proceedings of General Courts-martial.

XVII. And be it enacted, That every Judge Advocate, or Person officiating as such at a General Court-martial, or the President of any District or Garrison Court-martial, is required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and any Person tried by a General Court-martial, or any Person in his Behalf, shall be entitled, on Demand, to a Copy of such Sentence and Proceedings (paying reasonably for the same), whether such Sentence shall be approved or not, at any Time not sooner than Six Months if the Trial took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in His Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial.

Transportation from the United Kingdom.

XVIII. And be it enacted, That whenever His Majesty shall intend that any Sentence of Transportation heretofore or hereafter passed by any Court-martial shall be carried into execution, or shall be graciously pleased to commute as aforesaid to Transportation any Sentence of Death awarded by any such Court, the same, together with His Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief His Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of His Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary at War or his Deputy, to any Judge of the King's Bench, Common Pleas, or Exchequer, in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon the same as such Judge is authorized to do by any Act in force touching the Transportation of

other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of the same, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Transportation; and from the Time when such Order of Transportation shall be made, every Act now in force touching the Escape of Felons shall apply to such Offender, and to all Persons aiding and abetting, contriving, or assisting in any Escape or intended Escape of any such Offender; and the Judge who shall make any Order of Transportation as aforesaid shall direct the Notification of His Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of King's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or in His Majesty's Behalf, shewing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Transportation was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Transportation from the Colonies.

XIX. And be it enacted, That whenever any Sentence of Transportation heretofore or hereafter passed by any Court-martial holden in the *East Indies*, or in any Part of His Majesty's Foreign Dominions, is to be carried into execution, or when Sentence of Death has been or shall as aforesaid be commuted to Transportation, the same shall be notified by the Officer commanding in chief His Majesty's Forces at the Presidency or Station, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of His Majesty's Foreign Dominions, who shall make Order for the Transportation or intermediate Custody of such Offender, in such Manner and to or in such Place as shall be specified in any Directions given to such Chief Justice or Judge, in relation to any such Offender, by One of His Majesty's Principal Secretaries of State, and the necessary Proceedings shall be taken, according to such Order, for the Transportation or intermediate Custody of such Offender; and all Acts in force in such Place touching other Offenders to be transported shall in all respects apply as well to the Offender himself so to be transported as to all other Persons whatsoever therein concerned.

Offences against former Mutiny

XX. And be it enacted, That all Crimes and Offences which have been committed against any Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, or

against any of the Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be inquired of and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act, and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same; provided that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased.

Acts may be tried under this Act.

XXI. And be it enacted, That every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have enlisted, or from His Majesty's Service, although he may of right belong to the Corps from which he shall have originally deserted; and if such Person shall be claimed as a Deserter by the Corps to which he originally belonged, and be tried as a Deserter therefrom, or shall be tried as a Deserter from any other Corps into which he may have enlisted, or if he shall be tried while actually serving in some Corps for Desertion from any other Corps, every Desertion previous or subsequent to that for which he shall be under Trial, as well as every previous Conviction for any other Offence, may be given in Evidence as an Aggravation of the Crime for which he shall be under Trial; and in like Manner, upon the Trial of any Soldier for any Offence whatever, any previous Convictions may be given in Evidence against him; provided that no such Evidence shall be received in any Case until after the Court shall have found the Person guilty, and then only for the Purpose of affixing Punishment; and provided that in all Cases previous Notice shall have been given to the Offender of the Intention to produce such Evidence upon his Trial.

Subsequent Enlistment no Protection from Punishment for Desertion.

XXII. And be it enacted, That it shall be lawful for the Constable of any Place where any Person reasonably suspected to be a Deserter shall be found, or of any adjoining Place, and if no such Constable can be immediately met with, then for any Officer or Soldier in His Majesty's Service, to apprehend or cause such suspected Person to be apprehended, and to cause him to be brought before any Justice living in or near such Place, and acting for the same or any adjoining County, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witnesses upon Oath, or by the Knowledge of such Justice, it shall appear that such suspected Person is a Soldier, and ought to be with the Corps to which he belongs, such Justice shall forthwith cause him to be conveyed to some public Prison in such Place, or if there be no public Prison in such Place, then, at the Discretion of such Justice of

Apprehension of Deserters.

of the Peace, to the nearest or most convenient public Prison in the same or any next adjoining County, or to the Provost Marshal, in case such Deserter shall be apprehended within the City or Liberties of *Dublin* or Places adjacent; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary at War, or, if the Deserter be apprehended in *Ireland*, to the Chief Secretary, to the end that such Person may be removed by an Order from the Office of the said Secretary at War, or Chief Secretary in *Ireland*, and proceeded against according to Law; and such Justice shall also send to the Secretary at War a Report, stating the Names of the Persons by whom the Deserter was apprehended and secured; and the Secretary at War shall transmit to such Justice an Order for the Payment to such Persons of such Sum, not exceeding Forty Shillings, as the Secretary at War shall be satisfied they are entitled to, according to the true Intent and Meaning of this Act: Provided also, that no Fee or Reward shall be taken by any Justice, or his Clerk, in respect of any Information, Commitment, or Report as aforesaid.

Fraudulent Confession of Desertion.

XXIII. And be it enacted, That any Person who shall voluntarily deliver himself up as a Deserter from His Majesty's Forces or the embodied Militia, or the Forces of the *East India* Company, or who, upon being apprehended for any Offence, shall, in the Presence of the Justice, confess himself to be a Deserter as aforesaid, shall be deemed to have been duly enlisted and to be a Soldier, and shall be liable to serve in any of His Majesty's Forces, as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not; or shall be liable to be punished as a Rogue and Vagabond, or may be prosecuted and punished for obtaining Money under false Pretences; and the Confession and receiving Subsistence as a Soldier by such Person shall be Evidence of the false Pretence and obtaining Money; and if the Person so confessing himself to be a Deserter shall be serving at the Time in any of His Majesty's Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Penalty for inducing or assisting to desert.

XXIV. And be it enacted, That every Person who shall in any Part of His Majesty's Dominions, directly or indirectly, persuade any Soldier to desert, shall suffer such Punishment by Fine or Imprisonment, or both, as the Court before which the Conviction may take place shall adjudge; and every Person who shall assist any Deserter, knowing him to be such, in deserting or in concealing himself, shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty for forcible Entry.

XXV. And be it enacted, That every Commissioned Officer who shall, without Warrant from One or more of His Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouses of any Person whomsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Custody of Offenders under a Military Sentence.

XXVI. And be it enacted, That every Gaoler and Keeper of any Prison or House of Correction in every Part of His Majesty's Dominions shall, upon the Order in Writing of any Commanding Officer,

Officer of a District, Garrison, Regiment, or Corps, (as the Case may be,) receive into his Custody any Soldier under Sentence of Imprisonment by a General or other Court-martial, and keep him in a proper Place of Confinement, with or without hard Labour, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged, or shall, although the Period for which the Soldier was originally committed may not have expired, deliver him up to any Person producing an Order in Writing to that Effect from any such Commanding Officer as aforesaid; and every such Gaoler who shall refuse to receive and to confine any such Non-commissioned Officer or Soldier in manner as aforesaid shall forfeit for every such Offence the Sum of One hundred Pounds.

Custody of Deserters.

XXVII. And be it enacted, That the Gaoler or Person having the immediate Inspection of any Prison, Gaol, or House of Correction in every Part of His Majesty's Dominions, shall diet and supply every Soldier with Fuel and other Necessaries, according to the Regulations of the Prison to which he shall be committed, and shall receive on account of every Soldier, during the Period of his Imprisonment, Sixpence *per Diem*, which the Secretary at War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing, signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem* shall be carried to the Credit of the Fund from which the Expence of such Prison or House of Correction is defrayed; and such Gaoler is hereby required to receive and confine every Deserter who shall be delivered into his Custody by any Soldier conveying such Deserter under lawful Authority, on Production of the Warrant of the Justice of the Peace on which such Deserter shall have been taken, or some Order from the Office of the Secretary at War, or Chief Governor or Governors of *Ireland;* and such Gaoler shall be entitled to One Shilling for the safe Custody of the said Deserter, while halted on the March, and to such Subsistence for his Maintenance as shall be directed by His Majesty's Regulations.

Notice of Expiration of Imprisonment.

XXVIII. And be it enacted, That every Gaoler, to whom any Notice shall have been given that any Person in his Custody for any Offence is a Soldier liable to serve His Majesty on the Expiration of his Imprisonment, shall give One Month's Notice of the Period of such Expiration of Imprisonment, or if there shall not be sufficient Time for a Month's Notice, then the longest practicable Notice thereof, to the Secretary at War, or, if in *Ireland*, to the Chief Secretary.

Persons subject to this Act.

XXIX. And be it enacted, That all the Provisions of this Act shall apply to all Persons employed on the Recruiting Service, receiving Pay in respect of such Service, and to the Forces of the *East India* Company, while they shall be in any Part of the United Kingdom, and until their Arrival in the Territories of the *East India* Company, and to the Officers and Persons now or hereafter serving and hired to be employed in the Royal Artillery and Field Train, and Master Gunners and Gunners, and Conductors of Stores, and in the

Regiment of Royal Engineers, and the Corps of Royal Sappers and Miners, and in the Corps of Royal Military Surveyors and Draftsmen, in the Ordnance and in the Commissariat Departments, and who are or shall be serving with any Part of His Majesty's Forces, at Home or Abroad, under the Command of any Officer having Commission from His Majesty, and all Storekeepers and other Civil Officers who are or shall be employed by or act under the Ordnance at any of His Majesty's Ordnance Establishments at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been given by such Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, under the Provisions of an Act passed in the Fiftieth Year of the Reign of His late Majesty, to regulate the taking of Securities in all Offices, but that such Bonds and other Securities shall be and remain in full Force and Effect.

Foreign Troops in this Country.

XXX. And be it enacted, That all Officers and Soldiers of any Troops, being mustered and in Pay, which shall be raised and serving in any of His Majesty's Dominions Abroad, or in Places in Possession of or occupied by His Majesty's Subjects, under the Command of any Officer having any Commission immediately from His Majesty, shall be liable to Martial Law in like Manner as His Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *England* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act, in regard to billetting Soldiers, shall apply to such Officers and Soldiers.

Militia and Yeomanry.

XXXI. And be it enacted, That nothing in this Act contained shall in anywise be construed to extend to any of the Militia Forces or Yeomanry or Volunteer Corps in *Great Britain* or *Ireland*, excepting only in such Case wherein by any Act or Acts for regulating any of the said Forces or Corps, the Provisions contained in any Act for punishing Mutiny and Desertion shall be specifically made applicable to the said Corps.

Limitations as to certain Islands.

XXXII. And be it enacted, That this Act shall be construed to extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions therein for mustering and paying, and to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a General, or Garrison, or Detachment, or Regimental Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed.

Enlisting and swearing of Recruits.

XXXIII. And be it enacted, That every Person who shall receive Enlisting Money from any Person employed in the Recruiting Service, he being an Officer, Non-commissioned Officer, or an attested Soldier, shall be deemed to be enlisted as a Soldier in His Majesty's

Service, and while he shall remain with the Recruiting Party shall be entitled to be billetted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist, whether he does or does not belong to the Militia, and shall cause to be taken down, in Writing, the Name and Place of Abode of such Recruit; and when any Person shall be enlisted as a Soldier in His Majesty's Land Service, he shall within Four Days, but not sooner than Twenty-four Hours after such Enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice residing in the Vicinity of the Place, and acting for the Division or District where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare his having voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall record or shall cause to be recorded, in Writing, his Answers thereunto; and the said Justice is hereby required forthwith to cause the Answers so recorded in Writing, and the First and Second Articles of the Second Section of the Articles of War against Mutiny and Desertion to be read over, in his own Presence, to such Recruit, and to administer to such Recruit the Oath in the Schedule to this Act annexed, for limited or unlimited Service, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Oaths, any thing in any Acts to the contrary notwithstanding; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to take the Oath in the Schedule to this Act annexed, before the said Justice, it shall be lawful for the Officer or Non-commissioned Officer with whom he enlisted to detain and confine such Person until he shall take the said Oath of Fidelity.

Dissent and Relief from Enlistment.

XXXIV. And be it enacted, That any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such Enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings for the Charges expended upon him, together with the full Amount of Subsistence and Beer Money which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within the Space of Twenty-four Hours after so declaring his Dissent, to return such Money as aforesaid, he shall be deemed and taken to be enlisted as if he had given his Assent thereto before the said Justice: Provided also, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him

him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; provided that no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from His Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

XXXV. And be it enacted, That if any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Four Days aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in His Majesty's Service, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Four Days as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit was disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted; provided that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to His Majesty's Secretary at War, or, if in *Ireland*, to the Chief Secretary, in order that, in the Event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall enlist into His Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, and mentioned therein, may be transferred into any Garrison or Veteran or Invalid Battalion, or into His Majesty's Marine Forces, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as His Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, any thing in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary

contrary notwithstanding; and it shall be lawful for any Two Justices before whom such Recruit shall be brought, and who shall be proved, upon Oath before them, to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity upon being attested, or to have designedly made any false Representation as aforesaid, to adjudge such Person to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law now in force may be inflicted upon Rogues and Vagabonds and Vagrants and incorrigible Rogues; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into His Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*; and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His late Majesty, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*; and the Production of such Certificate, and Proof of the Handwriting of the Justice giving such Certificate, shall be sufficient Evidence of such Party having represented the several Particulars contained in the Oath sworn by him, and specified in the Certificate of the Justice at the Time of his being attested; and that Proof by the Oath of One or more credible Witnesses, that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in His Majesty's Service, or to His Majesty's Navy or Marines, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and any Man having been enrolled to serve in the Militia at the Time of offering to enlist shall deny that he is a Militia Man then actually enrolled and engaged to serve, or shall deny to the Justice before whom he shall be attested that he belongs to the Militia, shall, on Conviction thereof before any One Justice in the United Kingdom, either upon Oath of One Witness or upon his own Confession, or upon the Production of the Attestation, and the before-mentioned Declaration of such Person, certified by the Secretary at War or Deputy Secretary at War, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of His Majesty's Regular Forces, or of the *East India* Company's Forces, into which he shall have so enlisted; provided that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland*, in any Regiment, Battalion, or Corps of His Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Penalty on Officers offending against Laws regarding Enlistment.

XXXVI. And be it enacted, That every Military Officer, who shall act contrary to the Provisions of this Act in any respect regarding the enlisting and attesting of Recruits for His Majesty's Service, shall, upon Proof thereof upon Oath by Two Witnesses before a General Court-martial, which is hereby authorized to administer such Oath, be cashiered, and disabled to hold any Civil or Military Office or Employment in His Majesty's Service.

Enlistment and Re-enlistment Abroad.

XXXVII. And whereas it is expedient that Provisions should be made for the enlisting and attesting of Soldiers desirous of re-enlisting, and others desirous of enlisting, Abroad; be it therefore enacted, That it shall be lawful for any Person duly appointed by His Majesty by any Warrant signed by the Secretary at War in that Behalf, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into His Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or be disbanded at any Station beyond the Seas, it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to enlist as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so enlisted is hereby deemed to be discharged from his former Corps; and an attested Certificate of Transfer shall be delivered to the Soldier.

Enlistment of Negroes.

XXXVIII. And be it enacted, That all Negroes purchased by or on account of His Majesty, His Heirs and Successors, and serving in any of His Majesty's Forces, shall be deemed and taken to be free in every respect as if born free in any Part of His Majesty's Dominions, and shall be considered as Soldiers having voluntarily enlisted in His Majesty's Service; provided that nothing contained in this Act as to enlisting for limited Periods of Service, or in any other Act as to any Rules or Regulations for granting Pensions or Allowances to Soldiers discharged after certain Periods of Service, shall extend to any Negroes so purchased.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

XXXIX. And be it enacted, That any Person duly bound as an Apprentice who shall enlist as a Soldier in His Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, and shall, after the Expiration of his Apprenticeship, whether he shall

have been so convicted and punished or not, be liable to serve as a Soldier in any of His Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment; and if on the Expiration of his Apprenticeship he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from His Majesty's Forces.

Claims of Masters to Apprentices.

XL. And be it enacted, That no Master shall be entitled to claim an Apprentice who shall enlist as a Soldier in His Majesty's or the *East India* Company's Service, unless he shall, within One Calendar Month after such Apprentice shall have left his Service, go before some Justice and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed; and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and, if in *Ireland* or in the *British* Isles, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and, if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment; and unless such Contract or Indenture so duly executed shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County wherein the Parties reside, and there shall have been indorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to indorse and sign; and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age; provided that any Master of an Apprentice indentured for the Sea Service shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice may have been bound for a less Term than Seven, Five, or Four Years as aforesaid; and any such Master, who shall give up the Indentures of Apprenticeship within One Month after the enlisting of such Apprentice, shall be entitled to receive, to his own Use, so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice.

Punishment of Apprentices enlisting.

XLI. And be it enacted, That no Apprentice claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near and within whose Jurisdiction such Apprentice shall then happen to be, before whom he shall be carried, and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party,

Party, and that such Person so enlisted declared that he was no Apprentice; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture, to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Session immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices, that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment; provided that any Justice not required as aforesaid to commit such Apprentice may deliver him to his Master.

Musters, and Penalty on false Musters.

XLII. And be it enacted, That Musters shall be taken of every Regiment, Troop, or Company in His Majesty's Service Twice at least in every Year, at such Times as shall be appointed; and no Soldier shall be absent from such Musters, unless properly certified to be employed on some other Duty of the Regiment, or to be sick, or in Prison, or on Furlough; and every Person who shall give or procure to be given any untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster or any other Service which he ought to attend or perform, or shall make any false or untrue Muster of Man or Horse, or shall wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, or who shall directly or indirectly take or cause to be taken any Money or Gratuity for mustering any Soldiers, or for signing any Muster Rolls or Duplicate thereof, or shall knowingly muster any Person by a wrong Name, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within the United Kingdom of *Great Britain* and *Ireland*, or in His Majesty's Service; and if the Person giving such untrue Certificate shall not have any Military Commission, he shall forfeit for every such Offence the Sum of Fifty Pounds; and any Person who shall falsely be mustered or offer himself to be mustered, or lend or furnish any Horse to be falsely mustered, shall, upon Oath made by Two Witnesses before some Justice of the Peace residing near the Place where such Muster shall be made, forfeit the Sum of Twenty Pounds; and the Informer, if he belong to His Majesty's Service, shall, if he demand it, be forthwith discharged.

Musters in and near Westminster.

XLIII. And be it enacted, That Forty-eight Hours Notice shall be given to Six Justices, not being Officers of the Army, residing within the City and Liberties of *Westminster* and Borough of *Southwark*, of the Muster to be taken of His Majesty's Forces quartered within the said City and Liberties and Borough; and no Officer shall proceed to take such Musters, under Penalty of Fifty Pounds, except in the Presence of Two or more Justices, who shall take cognizance of

of such Muster, and sign the same, unless such Justices shall neglect to attend, of which Neglect, as well as of the proper Notice being given to such Justices, Oath shall be made, within Forty-eight Hours after such Muster, before any Justice; and the Officer appointed to take the Half-yearly Musters of any of His Majesty's Forces, at any Place Ten Miles distant from *London*, shall close the Muster Rolls within Twenty-four Hours after the said Muster has been made, and send a Copy thereof, within Seven Days, to the Secretary at War.

Forfeiture of Pay.

XLIV. And be it enacted, That no Soldier shall be entitled to Pay during any unauthorized Absence from Duty in His Majesty's Service, or during any Absence from Duty on a Charge of any Offence Civil or Military, or when in Confinement under any Sentence of any Court, or by reason of any Arrest for Debt, or as a Prisoner of War; provided that any Non-commissioned Officer, or any Soldier, acquitted of the Offence for which he was committed, shall, upon Return to his Duty in his Corps, be entitled to receive all Arrears of Pay growing due during his Absence or Confinement; and upon rejoining His Majesty's Service from being a Prisoner of War, due Inquiry shall be made by a Court-martial, and if it shall be proved to the Satisfaction of such Court that the said Soldier was taken Prisoner without wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided the Enemy, and that he hath returned as soon as possible to His Majesty's Service, he may thereupon be recommended by such Court to receive either the Whole of such Arrears of Pay, or a Proportion thereof; and no Soldier who shall have been confined under any legal Sentence shall be allowed to reckon towards Pay or Pension any Part of the Period from the Day of his first Commitment to the Day of rejoining his Corps; provided that it shall be lawful for His Majesty's Secretary at War to order or withhold the Payment of the Whole or any Part of the Pay of any Officer or Soldier during the Period of his Confinement, whether before or after Conviction, or to issue any Part of the Pay of a Prisoner of War which he may think proper.

Extension of Furlough in case of Sickness.

XLV. And be it enacted, That when there shall not be any Military Officer of Rank, not inferior to Captain, or any Adjutant of Regular Militia, within convenient Distance of the Place where any Non-commissioned Officer or Soldier on Furlough shall be detained by Sickness or other Casualty rendering necessary any Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity, to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Corps or Detachment to which the Man belongs, if known, and if not, then to the Agent of the Regiment, in order that the proper Sum may be remitted to the Soldier, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter; provided that nothing herein contained shall be construed to exempt any Soldier from Trial and Punishment, according to the Provisions of this Act, for any false Representation made by him in that Behalf to the said Justice, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Marching Money on Discharge.

XLVI. And be it enacted, That every Soldier entitled to his Discharge shall, if then serving Abroad, be sent, if he shall so require it, to *Great Britain* or *Ireland* free of Expence, and shall be entitled to receive Marching Money from the Place of his being landed (or, if discharged at Home, shall receive Marching Money from the Place of his Discharge,) to the Parish or Place in which he shall have been originally enlisted.

Commissaries to attest their Accounts.

XLVII. And be it enacted, That all Commissaries upon making up their Accounts, and also upon returning from any Foreign Service, shall take the Oath described in the Schedule to this Act annexed; which Oath, if taken in any Part of the United Kingdom, shall be taken before some Justice, and if taken on Foreign Service, before the Officer commanding in chief, or the Second in command, or the Quarter Master or Deputy Quarter Master General or any Assistant Quarter Master General of the Army to which he shall be attached, who shall respectively have Power to administer the same.

Issue of Pay of the Army.

XLVIII. And be it enacted, That no Secretary at War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or their under Officers, shall receive any Fees or make any Deductions whatsoever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fourth Day of *March* One thousand eight hundred and thirty-one, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by His Majesty's Regulations, or by His Majesty's Order signified by the Secretary at War; and every Paymaster or other Officer having received any Officer's or Soldier's Pay, who shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeable to the several Regulations established by His Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, if he demands it, shall be discharged from any further Service; provided that it shall be lawful for His Majesty's Secretary at War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer, Non-commissioned Officer, or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty; or, in case of any Doubt as to the proper Issue of Pay, to withhold it from the Parties aforesaid until His Majesty's Orders shall have been signified by the Secretary at War.

Penalty for Disobedience by Agents.

XLIX. And for enforcing a prompt Observance of the Rules and Orders for the due Appropriation of the Public Funds applicable to Army Services, and in order that a true and regular Account may be kept and rendered by the Agents of the several Corps, be it enacted, That the said Agents are hereby required to observe such Orders as shall from Time to Time be given by His Majesty under His Sign Manual, or by the Secretary at War, or by His Majesty's Chief Governor or Governors of *Ireland*, or by the Lord Treasurer or Com-

missioners of the Treasury; and if any Person, being or having been an Agent shall refuse or neglect to comply with such Orders in relation to his Duty as Agent, or shall unlawfully withhold or detain the Pay of any Officer or Soldier after the Space of One Month after the Receipt thereof, he shall for the First Offence forfeit the Sum of One hundred Pounds; and, if still an Agent, for the Second Offence be discharged from his Employment as an Army Agent, and be utterly disabled to have or hold such Employment thereafter; or, if he shall have ceased to be an Army Agent, shall for the Second and every succeeding Offence forfeit the Sum of Two hundred Pounds.

How and where Troops may be billetted.

L. And whereas by the Petition of Right, in the Third Year of King *Charles* the First, it is enacted and declared, that the People of the Land are not by the Laws to be burthened with the sojourning of Soldiers against their Wills; and by a Clause in an Act of the Parliament of *England*, made in the Thirty-first Year of the Reign of King *Charles* the Second, for granting a Supply to His Majesty of Two hundred and six thousand four hundred and sixty-two Pounds Seventeen Shillings and Three-pence, for paying and disbanding the Forces, it is declared and enacted, that no Officer, Civil or Military, nor other Person whomsoever, should from thenceforth presume to place, quarter, or billet any Soldier upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent, and that it shall be lawful for any Subject or Inhabitant to refuse to quarter any Soldier, notwithstanding any Warrant or Billetting whatsoever: And whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the marching of Soldiers, and providing Carriages for the Baggage of Soldiers on their March*, it was enacted, that no Officer, Soldier, or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, should, at any Time thereafter, be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some Seaport Town in order to be transported, or during such Time as there should be any Commotion in any Part of *Ireland*, by reason of which Emergency the Army should be commanded to march from any Part of *Ireland* to another: But forasmuch as at this Time, during the Continuance of this Act, there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies in several Parts of the United Kingdom of *Great Britain* and *Ireland*, be it further enacted, That it shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in His Majesty's Service, and Persons receiving Pay in His Majesty's Army, and the Horses belonging to His Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of His Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by His Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in any One House, except only in case of billetting

billetting Cavalry as specially provided); and that they shall be received by the Occupiers of such Houses in which they are so allowed to be billetted, and be furnished with proper Accommodation in such Houses, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billetted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billetted in pursuance of this Act, the Men and their Horses shall be billetted in one and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billetted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billetted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs, when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billetted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billetted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices within whose Jurisdiction such Soldiers are billetted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billetted upon other Persons, as they shall see Cause; and when any of His Majesty's Cavalry or any Horses as aforesaid shall be billetted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act, who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billetted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billetted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Men and Horses, or to be applied in the furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billetted in any Place with another Man or Horse billetted

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in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billetted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billetting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constable, together the Names of the Persons upon whom such Officers and Soldiers are billetted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England;* and no Officer shall be obliged to pay for his Lodging where he shall be regularly billetted, except in the Suburbs of *Edinburgh.*

Billetting the Guards in and near Westminster.

LI. And be it enacted, That the Officers and Soldiers of His Majesty's Foot Guards shall be billetted within the City and Liberties of *Westminster*, and Places adjacent, lying in the County of *Middlesex*, (except the City of *London*,) and in the County of *Surrey*, and in the Borough of *Southwark*, in the same Manner and under the same Regulations as in other Parts of *England*, in all Cases for which particular Provision is not made by this Act; and the High Constable shall, on Receipt of the Order for billetting Soldiers, deliver Precepts to the several Constables within their respective Divisions, in pursuance of which the said Constables shall billet such Officers and Soldiers equally and proportionally on the Houses subjected thereto by this Act; and the said Constables shall, at every General Quarter Sessions of the Peace to be holden for the said City and Liberties, Counties and Borough respectively, make and deliver to the Justices then in open Session assembled, upon Oath, which Oath the said Justices are hereby required to administer, Lists, signed by them respectively, of the Houses subject by this Act to receive Officers and Soldiers, together with the Names and Rank of all Officers and Soldiers billetted on each respectively, which Lists shall remain with the respective Clerks of the Peace, for the Inspection of all Persons, without Fee or Reward; and such Clerk shall forthwith from Time to Time deliver to any Persons who shall require the same true Copies of any such Lists, upon being paid Two-pence *per* Sheet for the same, each Sheet to contain at least One hundred and fifty Words.

Military Officer not to act as a Justice in billetting.

LII. And be it enacted, That no Justice having or executing any Military Office or Commission in any Part of the United Kingdom shall, directly or indirectly, be concerned in the billetting or appointing Quarters for any Soldier in the Regiment, Troop, or Company under the immediate Command of such Justice, but that all

Warrants, Acts, or Things so appointed by such Justice for or concerning the same shall be void.

Allowance to Innkeepers.

LIII. And be it enacted, That the Innholder or other Person on whom any Soldier is billetted in *England* shall, if required by such Soldier, furnish him for every Day on the March, and for a Period not exceeding Two Days when halted at any intermediate Place upon the March, and for the Day of Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by His Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Ten-pence; and all Innholders and other Persons on whom Soldiers may be billetted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldier with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and of the necessary Utensil for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to His Majesty's Forces shall be billetted, in *England*, for Hay and Straw, shall be Ten-pence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billetted, by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*, and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billetted, the Sum of Four-pence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billetted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any Officer as aforesaid shall not pay the same, upon Complaint, and Oath made thereof by any Two Witnesses, at the next Quarter Session for the County or City where such Quarters were situated, the Secretary at War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have

been billetted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer.

Definition of Terms.

LIV. And be it enacted, That all Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and the Town of *Berwick-upon-Tweed;* and all Clauses and Provisions relating to the *British* Isles shall be construed to extend to *Guernsey, Jersey, Alderney, Sark,* and *Man,* and all Isles thereto and to *England* and *Ireland* belonging; and all Clauses and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billetting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland* who shall act in the Execution of this Act in relation to billetting; and all Provisions for billetting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drank in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Strong Waters, Cider, or Metheglin, by Retail, in *England* and *Ireland;* and in *Ireland,* when there shall not be found sufficient Room in such Houses, then to billetting Soldiers in such Manner as has been heretofore customary; provided that no Officer or Soldier shall be billetted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London,* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandize than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Powers and Regulations as to Billets.

Exemptions from Billets.

Supply of Carriages.

LV. And be it enacted, That for the regular Provision of Carriages for His Majesty's Forces, and their Baggage, in their Marches in *England* and *Ireland,* all Justices of the Peace within their several Jurisdictions, being duly required thereunto by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, if in *England,* or by an Order from the Lord Lieutenant or Chief Governors of *Ireland,* or from the Officer commanding His Majesty's Forces in *Ireland,*

or

or other Person duly authorized in that Behalf, shall, on Production of such Order to such Justices by some Officer or Non-commissioned Officer of the Regiment so ordered to march, issue a Warrant to any Constable having Authority to act in any Place from, through, near, or to which the Troop shall be ordered to march, (for each of which Warrants the Fee of One Shilling only shall be paid,) requiring him to provide the Carriages, Horses, and Oxen, and Drivers therein mentioned, and allowing sufficient Time to do the same, specifying the Places from and to which the said Carriages shall travel, and the Number of Miles between the Places, for which Number only so specified Payment shall be demanded, and which Number of Miles shall not, except in Cases of pressing Emergency, exceed a Day's March prescribed in the Order of Route, and shall in no Case exceed Twenty-five Miles; and the Constables receiving such Warrants shall order such Persons as they shall think proper, having Carriages, to furnish the requisite Supply, who are hereby required to furnish the same accordingly; and when sufficient Carriages cannot be procured within the proper Jurisdiction, any Justice of the next adjoining Jurisdiction shall, by a like Course of proceeding, supply the Deficiency; and in order that the Burthen of providing Carriages may fall equally, and to prevent Inconvenience arising from there being no Justice residing near the Place where Troops may be quartered on the March, any Justice residing nearest to such Place may cause a List to be made out, at least once in every Year, of all Persons liable to furnish such Carriages, and of the Number and Description of their said Carriages, (which Lists shall at all seasonable Hours be open to the Inspection of the said Persons,) and may by Warrant under his Hand authorize the Constables within his Jurisdiction to give Orders to provide Carriages, without any special Warrant for that Purpose, which Orders shall be valid in all respects; and all Orders for such Carriages shall be made from such Lists in regular Rotation, as far as the same can be done.

Rates to be paid, and Mode of proceeding.

LVI. And be it enacted, That the Rates to be paid for Carriages impressed shall be, in *England*, for every Mile which a Waggon with Four or more Horses, or a Wain with Six Oxen, or Four Oxen and Two Horses, shall travel, One Shilling; and for every Mile any Waggon with narrow Wheels, or any Cart with Four Horses, carrying not less than Fifteen Hundred Weight, shall travel, Nine-pence; and for every Mile every other Cart or Carriage with less than Four Horses, and not carrying Fifteen Hundred Weight shall travel, Sixpence; and in *Ireland*, for every Hundred Weight loaded on any Wheel Carriage, One Halfpenny *per* Mile; and in *England* such further Rates may be added, not exceeding a total Addition *per* Mile of Four-pence, Three-pence, or Two-pence, to the respective Rates of One Shilling, Nine-pence, or Sixpence, as may seem reasonable to the Justices assembled at General Sessions for their respective Districts; and the Order of such Justices at Sessions shall specify the average Price of Hay and Oats at the nearest Market Town at the Time of fixing such additional Rates, the Period for which the Order shall be enforced not exceeding Ten Days beyond the next General Sessions (and no such Order shall be valid unless a Copy thereof, signed by the presiding Magistrate and One other Justice,

Justice, shall be transmitted to the Secretary at War within Three Days after the making thereof); and also in *England*, when the Day's March shall exceed Fifteen Miles, the Justice granting his Warrant may fix a further reasonable Compensation, not exceeding the usual Rate of Hire fixed by this Act; and when any additional Rates or Compensation shall be granted, the Justice shall insert in his own Hand, in the Warrant, the Amount thereof, and the Date of the Order of Sessions, if fixed by Sessions, and the Warrant shall be given to the Officer commanding, as his Voucher; provided that the Officer or Non-commissioned Officer demanding Carriages by virtue of the Warrant of a Justice shall, in *England*, pay down in hand the proper Sums into the Hands of the Constables providing Carriages, who shall give Receipts for the same on unstamped Paper; and, in *Ireland*, the Officers or Non-commissioned Officers as aforesaid shall pay the Owners or Drivers of the Carriages, and One Third Part of such Payment shall be made before the Carriage be loaded, and all the said Payments in *Ireland* shall be made, if required, in the Presence of a Justice or Constable; provided that no Carriage shall be liable to carry more than Thirty Hundred Weight in *England*, and in *Ireland* no Car shall be liable to carry more than Six Hundred Weight, and no Dray more than Twelve Hundred Weight; but the Owner of such Carriages in *Ireland*, consenting to carry a greater Weight, shall be paid at the same Rate for every Hundred Weight of the said Excess; and the Owners of such Carriages in *Ireland* shall not be compelled to proceed, though with any less Weight, under the Sum of Three-pence a Mile for each Car, and Sixpence a Mile for each Dray; and the Loading of such Carriages in *Ireland* shall be first weighed, if required, at the Expence of the Owner of the Carriage, if the same can be done in a reasonable Time, without Hindrance of His Majesty's Service; and the providing and paying for Carriages in *Scotland* shall be regulated by the Law in force at the Time of the Union with *England*; provided that a Cart with One or more Horses, for which the Furnisher shall receive Ninepence a Mile, shall be required to carry Fifteen Hundred Weight at the least; provided that no Penalties or Forfeitures in any Act relating to Highways or Turnpike Roads in the United Kingdom shall apply to the Number of Horses and Oxen, or Weight of Loading of the aforesaid Carriages, which shall not on that Account be stopped or detained.

Supply of Carriages in Cases of Emergency.

LVII. And be it enacted, That it shall be lawful for His Majesty, or the Lord Lieutenant or Chief Governors of *Ireland*, by His or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary at War, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding His Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of His Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person, and for any Use whatsoever, but also of

Saddle Horses, Coaches, Post Chaises, Chaises, and other Four-wheeled Carriages kept for Hire, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or Navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition to such Justice by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages, in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rate of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same; and it shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient, then out of the Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for the Carriages and Vessels aforesaid, over and above what was or ought to have been paid by the Officer requiring the same, Regard being had to the Season of the Year and Condition of the Ways by which such Carriages and Vessels are to pass.

Carriages at Dublin.

LVIII. And be it enacted, That whenever it shall be necessary to impress Carriages for the March of Soldiers from *Dublin*, at least Twenty-four Hours Notice of such March, and in case of Emergency as long Notice as the Case will admit, shall be given to the Lord Mayor of *Dublin*, who shall summon a proportionable Number of Cars and Drays, at his Discretion, out of the licensed Cars and Drays, and other Cars and Drays within the County of the said City, and they shall by Turns be employed on this Duty at the Prices and under the Regulations herein-before mentioned; and no Country Cars, Drays, or other Carriages coming to Markets in *Ireland* shall be detained or employed against the Will of the Owners in carrying the Baggage of the Army, on any Pretence whatsoever.

Routes in Ireland.

LIX. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor for the Time being of *Ireland* to depute, by Warrant under his Hand and Seal, some proper

Person to sign Routes for the marching of any of His Majesty's Forces in *Ireland*, in the Name of such Lord Lieutenant or Chief Governor.

Tolls.

LX. And be it enacted, That all His Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, and all Carriages and Horses belonging to His Majesty, or employed in His Service, when conveying Persons or Baggage, under the Provisions of this Act, or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or hereafter to be made; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal, from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto.

Ferries.

LXI. And be it enacted, That when any Soldiers on Service have occasion in their March to pass regular Ferries in *Scotland*, the Officer commanding may at his Option pass over with his Soldiers as Passengers, and shall pay for himself and each Soldier One Half only of the ordinary Rate payable by single Persons, or may hire the Ferry Boat for himself and his Party, debarring others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXII. And be it enacted, That if any Constable or other Person, who by virtue of this Act shall be employed in billetting any Officers or Soldiers in any Part of the United Kingdom, shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person appointed by such Constable to provide Carriages, Horses, or Vessels, shall do any Act or Thing by which the Execution of such Warrants shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person, liable by this Act to have any Officer or Soldier quartered on him, shall refuse to receive and to afford proper Accommodation or Diet in the House of such Person in which he is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to

furnish

furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse, at the Rate established by any Act in force in that respect; or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; such Constable, Victualler, or other Person respectively shall forfeit for every Offence, Neglect, or Refusal, any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalties upon the Military so offending.

LXIII. And be it enacted, That if any Military Officer shall take upon himself to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers, tending to deter and discourage any of them from performing any Part of their Duty under this Act, or tending to induce any of them to do any thing contrary to their said Duty, such Officer shall for every such Offence (being thereof convicted before any Two or more Justices of the County by the Oath of Two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to hold any Military Employment in His Majesty's Service; provided that a Certificate thereof shall be transmitted by the said Justice to the Judge Advocate in *London*, who is hereby required to certify the same to the Commander in Chief and Secretary at War, and that the said Conviction be affirmed at some Quarter Sessions of the Peace of the said County held next after the Expiration of Three Months after such Certificate of the Justice shall have been transmitted as aforesaid; and if any Military Officer shall take, or knowingly suffer to be taken, any Money or Reward of any Person for excusing the quartering of Officers or Soldiers, or shall billet any of the Wives, Children, Men or Maid Servants of any Officer or Soldier in any House, against the Consent of the Occupier, he shall, upon being convicted thereof before a General Court-martial, be cashiered; and if any Officer shall constrain any Carriage to travel beyond the Distance specified in the Justice's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, except in the Case of Emergency, for which the Justice shall have given Licence, or shall compel the Driver of any Carriage to take up any Soldier or Servant (except such as are sick) or any Woman to ride therein, except in Cases of Emergency as aforesaid, or shall force any Constable, by threatening Words, to provide Saddle Horses for himself or Servants, or shall force Horses from their Owners, or in *Ireland* shall force the Owner to take any Loading until the same shall be first duly weighed, if the same can be done within a reasonable Time, or shall, contrary to the Will of the Owner or his Servant, permit any Person whatsoever to put any greater Load upon any Carriage than is directed by this Act, shall forfeit for every Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty on purchasing Soldiers Necessaries, Stores, &c.

LXIV. And be it enacted, That any Person who shall unlawfully have in his or her Possession or Keeping, or who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter, or any other Person, on any Pretence whatsoever, or shall solicit or entice any Soldier, knowing him to be such, to sell any Arms, Ammunition,

munition, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks, provided under Barrack Regulations, or any Regimental Necessaries, or any Article of Forage provided for any Horses belonging to His Majesty's Service, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence the Sum of Ten Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any credible Person shall prove on Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods.

Penalty on unlawful Recruiting.

LXV. And be it enacted, That all the Persons (except such Recruiting Parties as may be stationed under Military Command) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, Embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty on trafficking in Commissions.

LXVI. And be it enacted, That every Person, not being an authorized Army Agent, who shall negociate or act as Agent for and in relation to the Purchase, Sale, or Exchange of any Commission in His Majesty's Forces, shall forfeit for every such Offence the Sum of One hundred Pounds; and every Person, whether authorized or not as an Army Agent, who shall receive any Money or Reward in respect of any such Purchase, Sale, or Exchange, or shall negociate or receive for any Purpose whatsoever any Money or Consideration where no Price is allowed by His Majesty's Regulations, or any Money or Consideration exceeding the Amount so allowed, shall forfeit One hundred Pounds, and Treble the Value of the Consideration where the Commission is not allowed to be sold, or Treble the Excess of such Consideration beyond the regular Price.

Penalty on killing Game.

LXVII. And for the better Preservation of Game and Fish in or near such Places where any Officers shall at any Time be quartered, be it enacted, That every Officer who shall, without Leave in Writing from the Persons entitled to grant such Leave, take, kill, or destroy any Game or Fish within the United Kingdom of *Great Britain* and *Ireland*, and upon Complaint thereof shall be, upon Oath of One or more credible Witnesses, convicted before any Justice, shall for every such Offence forfeit the Sum of Five Pounds.

Officers not liable to take Parish Apprentices.

LXVIII. And be it enacted, That no Officer of His Majesty's Forces, residing in Barracks, or elsewhere under Military Law, shall be deemed liable to have any Parish Poor Child bound Apprentice to him.

Mode of recording a Soldier's Settlement.

LXIX. And be it enacted, That any Justice in the United Kingdom, within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billetted, may summon such Soldier before him in the Place where he is billetted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required.

Notification to Parishes of good or bad Conduct of Soldiers.

LXX. And be it enacted, That the Churchwardens of every Parish in *England* and *Ireland*, and the Constables or other Officers of every Parish or Place in *Scotland*, on receiving a Notification from the Secretary at War of the Names of any Soldiers belonging to the said Parish who have, for meritorious Conduct in the Army, received His Majesty's special Approbation, or who, in consequence of Misconduct, have been dismissed His Majesty's Service with Disgrace, shall affix such Notification on the Outside of the Door of the Church or Chapel belonging to such Parish or Place on the *Sunday* next succeeding the Receipt of the said Notification.

Wages of a Servant enlisting.

LXXI. And be it enacted, That it shall be lawful for the Justice, before whom any Recruit shall be attested before the Expiration of the Term of Service for which he had been hired by his Master, to adjudge to such Recruit a reasonable Proportion of his Wages for the Time he has actually served; and the said Justice shall make an Order for the Payment of the Amount so awarded, and, in case of Neglect or Refusal to pay the same within Four Days, shall issue his Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Master.

Licences of Canteens.

LXXII. And be it enacted, That when any Persons shall hold any Canteens under proper Authority of the Board of Ordnance, it shall be lawful for any Two Justices, within their respective Jurisdictions, to grant or transfer any Beer, Wine, or Spirit Licence to such Persons, without regard to the Time of Year, or to the Notices or Certificates required by any Act in respect of such Licences; and the Commissioners of Excise, or their proper Officers within their respective Districts, shall also grant such Licences as aforesaid; and such Persons so holding Canteens, and having such Licences, may sell therein Victuals and Exciseable Liquors, as empowered by such Excise Licence, without being subject to any Penalty or Forfeiture.

LXXIII. And be it enacted, That all Muster Rolls and Pay Lists which are required to be verified upon Oath shall be sworn before and attested by any Justice, without Fee or Reward to himself or to his Clerk. Attestation of Accounts.

LXXIV. And be it enacted, That any Action which shall be brought against any Person for any thing to be done in pursuance of this Act shall be brought within Six Months, and it shall be lawful for every such Person to plead thereunto the General Issue of Not Guilty, and to give all special Matter in Evidence to the Jury which shall try the Issue; and if the Verdict shall be for the Defendant in any such Action, or the Plaintiff therein become Nonsuit, or suffer any Discontinuance thereof, or if, in *Scotland*, such Court shall see fit to assoilzie the Defendant or dismiss the Complaint, the Court in which the said Matter shall be tried shall allow unto the Defendants Treble Costs, for which the said Defendant shall have the like Remedy as in other Cases where Costs by the Laws of this Realm are given to Defendants; and every Action against any Person for any thing to be done in pursuance of this Act, or against any Member or Minister of a Court-martial, in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at *Westminster* or in *Dublin*, or the Court of Session in *Scotland*, and in no other Court whatsoever. Forms of Actions at Law.

LXXV. And be it enacted, That all Offences for which any Penalties and Forfeitures are by this Act imposed, not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, shall and may be determined, and such Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, in every Part of the United Kingdom, by One or more Justice or Justices of the Peace, under the Provisions of an Act passed in the Third Year of the Reign of His late Majesty, intituled *An Act to facilitate summary Proceedings before Justices of the Peace and others*, and of another Act, passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the more effectual Recovery of Penalties before Justices and Magistrates on Conviction of Offenders, for facilitating the Execution of Warrants by Constables*: Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned for any Time not exceeding Six Months; which said recited Acts shall be used and applied in *Scotland*, for the Recovery of all such Penalties and Forfeitures, as fully, to all Intents, as if the said recited Acts had extended to *Scotland*, any thing in the said recited Acts to the contrary notwithstanding; and all such Offences committed in the *British* Isles, or in any of His Majesty's Dominions beyond the Seas, may be determined, and the Penalties and Forfeitures and Forfeiture of Value or Treble Value recovered, before any Justices of the Peace, or Persons exercising like Authority, according to the Laws of the Part of His Majesty's Dominions in which the Offence shall be committed; and all Penalties and Forfeitures by this Act imposed, exceeding Twenty Pounds, Recovery of Penalties. 3 G. 4. c. 23. 5 G. 4. c. 18.

Pounds, shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British* Isles, or in any other Parts of His Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of His Majesty's Dominions.

Appropriation of Penalties.

LXXVI. And be it enacted, That one Moiety of every Penalty, not including any Treble Value of any Articles, adjudged or recovered under the Provisions of this Act, shall go to the Person who shall inform or sue for the same, and the other Moiety, or, where the Offence shall be proved by the Person who shall inform, the Whole of the Penalty, shall be paid to the General Agent for the Recruiting Service, to be at the Disposal of the Secretary at War; and every Justice who shall adjudge any Penalty under this Act shall, within Four Days at the farthest, report the same to the Secretary at War.

Administration of Oaths.

Perjury.

LXXVII. And be it enacted, That all Oaths which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and that any Person taking a false Oath in any Case wherein an Oath is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

Duration of the Act.

LXXVIII. And be it enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *March* One thousand eight hundred and thirty-one inclusive, until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *April* One thousand eight hundred and thirty-one inclusive, until the First Day of *April* One thousand eight hundred and thirty-two; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *July* One thousand eight hundred and thirty-one inclusive, until the First Day of *July* One thousand eight hundred and thirty-two; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *August* One thousand eight hundred and thirty-one inclusive, to the First Day of *August* One thousand eight hundred and thirty-two; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* and *Bourbon*, and Islands thereto belonging, *St. Helena*, and the Western Coast of *Africa*, from the First Day of *November* One thousand eight hundred and thirty-one inclusive, to the First Day of *November* One thousand eight hundred and thirty-two; and shall be and continue in force in all other Places from the First Day of *December* One thousand eight hundred and thirty-one inclusive, to the First Day of *December* One thousand eight hundred and thirty-three:

Provided

Provided that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of His Majesty's Dominions beyond the Seas, become and be in full Force; any thing herein-before contained to the contrary notwithstanding.

LXXIX. And be it enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this Session of Parliament. Alteration of the Act.

SCHEDULES to which this Act refers.

FORM of OATHS to be taken by MEMBERS of COURTS-MARTIAL.

YOU shall well and truly try and determine according to the Evidence in the Matter now before you. So help you GOD.

I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty's Forces, and according to an Act now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection, and if any Doubt shall arise which is not explained by the said Articles or Act, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases: And I further swear, That I will not divulge the Sentence of the Court until it shall be duly approved; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

FORM of OATH of JUDGE ADVOCATE.

I do swear, That I will not, upon any Account whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof as a Witness by a Court of Justice or a Court-martial in a due Course of Law. So help me GOD.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

Enlisting for unlimited Service.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of until you shall be legally discharged?
9. On what Day and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Do you now belong to the Militia?
12. Do you belong to any other Regiment, or to the Marines, Ordnance, or Navy?
13. Have you ever served in the Army, Marines, Ordnance, or Navy?

Note.—The Justice is directed, in putting the 11th Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to Six Months Imprisonment.

Enlisting for limited Service.

The preceding Questions to be put by the Justice, except Question 8, which is to be as follows:

8. Are you willing to be attested to serve in the Regiment of for the Period of [*this Blank to be filled up by the Justice with Seven Years for Infantry, Ten Years for Cavalry, and Twelve Years for the Artillery, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under the Age of Eighteen Years, then the Difference between his Age and Eighteen to be added to such Seven, Ten, or Twelve Years, as the Case may be,*] Years, provided His Majesty should for so long require your Service, and also for such further Term, not exceeding Six Months, as shall be directed by the Commanding Officer on any Foreign Station, and not exceeding Three Years, as shall be directed by any Proclamation of His Majesty, such additional Period, in the latter Case, to determine whenever Six Months of continued Peace, to be reckoned from the Ratification of any definitive Treaty, shall have elapsed subsequent to the Expiration of the said [Seven, Ten, *or* Twelve, *as the Case may be,*] Years?

Enlisting for either His Majesty's or the East India *Company's Service.*

Question 8 is to be put by the Justice as follows:

8. Are you willing to be attested to serve in His Majesty's Army, or in the Forces of the United Company of Merchants trading to the *East Indies*, according as His Majesty shall think fit to order, until you shall be duly and legally discharged?

Enlisting for the East India *Company's Service.*

Question 8 to be put by the Justice as follows:

8. Are you willing to be attested to serve the United Company of Merchants trading to the *East Indies*, until you shall be legally discharged? [*Or if the Recruit enlists for limited Service then insert*, for the Period of Twelve Years,] [*if the Person enlisting is of the Age of Eighteen Years or upwards, but if under Eighteen Years, then the Difference between his Age and Eighteen to be added to such Twelve Years, as the Case may be, and such Period to be inserted instead of Twelve Years,*] provided the said United Company should so long require your Service?

OATH to be taken by a RECRUIT enlisting for unlimited or limited Service.

I _____ do make Oath, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

I do also make Oath, That I will be faithful and bear true Allegiance to His Majesty, His Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of His Majesty, His Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand

_____ Signature of Recruit.

_____ Witness present.

Sworn before me at _____ this _____ Day of _____ One thousand eight hundred and _____

Signature of the Justice _____

If enlisting for either His Majesty's or the East India *Company's Service, the following Addition is to be made to the foregoing Oath.*

And that if His Majesty, His Heirs or Successors, shall please to appoint me to serve in the Forces of the United Company of Merchants of *England* trading to the *East Indies*, then I swear, that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

If enlisting for the East India *Company's Service, the following is to be added to the Oath.*

And that I will also be true to the said United Company, and will duly observe and obey all their Orders, and the Orders of their Generals and Officers who shall be lawfully set over me.

CERTIFICATE to be given by the JUSTICE.

Description of

Age, apparently
Height, Feet Inches.
Complexion,
Eyes,
Hair,

Any distinctive Mark.

to wit. } I One of His Majesty's Justices of the Peace of do hereby certify, That the above is the Description of the Recruit ; and in my Presence all the foregoing Questions were put to the said ; that the Answers written opposite to them are those which he gave to me ; and that the First and Second Articles of the Second Section of the Articles of War were read over to him ; that he took the Oath of Allegiance and Fidelity ; that he received the Sum of on being attested this Day ; and that I have given him a Duplicate of this Certificate, signed with my Name.

Signature of the Justice.

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years ; and that the said did on or about the Day of abscond and quit my Service without

without my Consent; and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and

Sworn before me at this Day of One thousand eight hundred and

---

FORM of JUSTICE'S CERTIFICATE, to be given to the MASTER of an Apprentice.

to wit. I of One of His Majesty's Justices of the Peace certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

FORM of OATH of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do hereby make Oath, That I have not applied any Money or Stores, or Supplies, under my Care or Distribution, to my own Use, or to the private Use of any other Person, by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than public Purposes, according to the Duty of my Office.

Sworn before me by the within-named this Day of

Justice of the Peace for the County of , or *Commander in Chief,* or *Second in Command,* et cetera, *the Army serving in* et cetera, [*as the Case may be.*]

DESCRIPTION RETURN of committed to Confinement at on the Day of

as a Deserter from the Battalion of the Regiment of

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Enlistment, and in what District.	Probable Date of Desertion, and from whence.	Name, Occupation, and Address of the Person by whom apprehended.	Particulars of the Evidence upon which the Prisoner is committed.	Whether the Prisoner confessed before the Magistrate that he is a Deserter.
	Feet.	Inches.		Hair.	Eyes.						

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he * a Deserter from the before-mentioned Corps.

_____ *Signature and Address of Magistrate.*

_____ *Signature of Prisoner.*

_____ *Signature of Informer.*

* Insert "is" or "is not," as the Case may be.

* I certify that I have inspected the Prisoner, and consider him fit for active Service.

_____ *Signature of Surgeon.*

* If a Military Medical Officer be at or near the Place, he will inspect the Deserter, and report as to his Fitness for Military Service.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XVI.

An Act to continue until the Fifth Day of *July* One thousand eight hundred and thirty-two an Act of the Fifty-fourth Year of His Majesty King *George* the Third, for rendering the Payment of Creditors more equal and expeditious in *Scotland*.

[15th *March* 1831.]

WHEREAS an Act was passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for rendering the Payment of Creditors more equal and expeditious in* Scotland, which Act was to continue for Seven Years from the Twenty-fifth Day of *July* One thousand eight hundred and fourteen, and from thence to the End of the then next Session of Parliament, and which Act was further continued by several Acts passed in the Third, Fourth, Sixth, Seventh and Eighth, and Tenth Years of the Reign of His late Majesty King *George* the Fourth, to the End of this present Session of Parliament: And whereas it is expedient that the said Act should be continued for a further Term; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act of the Fifty-fourth Year of the Reign of His said Majesty King *George* the Third, for

54 G.3.c.137.

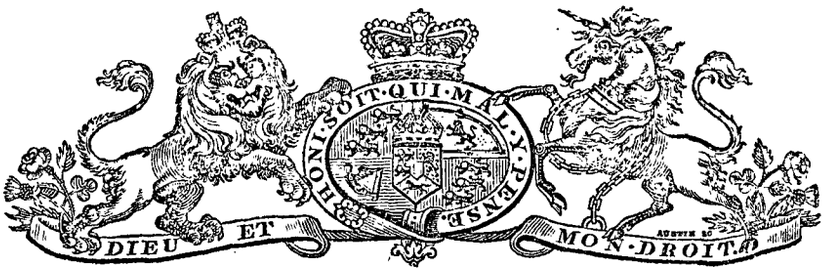
Recited Act further continued.

for rendering the Payment of Creditors more equal and expeditious in *Scotland*, shall be and the same is hereby further continued until the Fifth Day of *July* One thousand eight hundred and thirty-two.

Act may be altered this Session.

II. And be it further enacted, That this Act and the said recited Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XVII.

An Act to repeal the Duties and Drawbacks on Printed Calicoes, Linens, and Stuffs.

[15th *March* 1831.]

WHEREAS by an Act passed in the Forty-third Year of the Reign of His Majesty King *George* the Third, for repealing the Duties of Excise payable in *Great Britain*, and granting other Duties in lieu thereof, certain Duties were granted and imposed on all Foreign Calico and Foreign Muslin printed, stained, painted, or dyed in *Great Britain*, except such as should be dyed throughout of One Colour only, and on all Linens, and on Stuffs wholly made of Cotton Wool, wove in *Great Britain*, commonly called *British* Manufactory, and *British* Muslins, and on all Fustians, Velvets, Velverets, Dimities, and other Figured Stuffs made of Cotton and other Materials mixed, or wholly made of Cotton Wool, wove in *Great Britain*, and on all other Stuffs whatsoever which should be printed, stained, painted, or dyed in *Great Britain*, except such as should be dyed throughout of One Colour only, and Stuffs made of Woollen, or whereof the greatest Part in Value should be Woollen: And whereas by certain other Acts of Parliament the like Duties were imposed on all such Calicoes, Muslins, Linens, and Stuffs printed, stained, painted, or dyed in *Ireland*, and removed from *Ireland* into *Great Britain*: And whereas by the said recited Act and other Acts, certain Drawbacks of the said Duties were granted on the Removal of such Printed Calicoes, Muslins, Linens, and Stuffs from *Great Britain* to *Ireland*, and on the Exportation of the same from *Great Britain* to Foreign Parts: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, for repealing several Duties of Excise payable upon Excise Licences in *Great Britain* and *Ireland*, and imposing other Duties in lieu thereof, and for amending the Laws for granting Excise Licences, certain Duties of Excise were imposed on Licences by the said Act required to be taken out by every Calico Printer, and every Printer, Painter, or Stainer of Linens, Cottons, and Stuffs in *Great Britain* and *Ireland*: And whereas it is expedient that all the said Duties and Drawbacks should cease and determine; May it therefore please Your Majesty that it may be enacted; and be it enacted

by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *March* One thousand eight hundred and thirty-one, the said several Duties of Excise payable on Foreign and *British* Calicoes, Muslins, Linens, and Stuffs, printed, stained, painted, or dyed in *Great Britain*, and all Duties on Licences required to be taken out by Calico Printers, and by Printers, Painters, and Stainers of Linens and Stuffs, in *Great Britain* and *Ireland*, and all Drawbacks for or in respect of the Removal from *Great Britain* to *Ireland*, or the Exportation from *Great Britain*, of any printed, stained, painted, or dyed Calicoes, Muslins, Linens, and Stuffs, except as the said Drawbacks are herein-after specially continued, shall cease and determine, and be no longer chargeable or payable; and if any such Duty shall have been paid before the Commencement of this Act, which shall have been charged after the said First Day of *March* One thousand eight hundred and thirty-one, the same shall be returned, under such Regulations as the Commissioners of Excise shall appoint: Provided always, that any Arrear of the said Duties, or of any Penalty or Forfeiture in respect thereof, which shall have been incurred before the said First Day of *March* One thousand eight hundred and thirty-one, or the Payment of any Drawback which shall be payable in respect of any Removal or Exportation of any such Goods before the said First Day of *March* One thousand eight hundred and thirty-one, shall and may be sued for, levied, recovered, and paid in the same Manner as if this Act had not been passed.

From 1st of March 1831, all the Duties and Drawbacks on Printed Calicoes, and all Duties on Licences to Calico Printers, repealed.

Proviso as to Arrears and Penalties.

II. And whereas the Officers of Excise are now by Law authorized and empowered to take an Account of the Quantities of Calicoes, Linens, and Stuffs which shall at any Time or Times be in the Custody or Possession of any Printer, Painter, Stainer, or Dyer, to be printed, painted, stained, or dyed; and in case any such Officer or Officers shall miss any Quantity or Quantities of such Calicoes, Linens, or Stuffs whereof he had taken an Account at his last Survey, and shall not, upon reasonable Demand, receive Satisfaction what is become of the same, then and in every such Case it shall and may be lawful for such Officer to charge such Printer, Painter, Stainer, or Dyer with the Duties of such Calicoes, Linens, or Stuffs so missing, as if the same were printed, painted, stained, or dyed: And whereas it is expedient to continue the said Power until an Account can be taken of all such Quantities of Calicoes, Muslins, Linens, and Stuffs as shall have been taken Account of by the Officers of Excise at any Time before the said First Day of *March* One thousand eight hundred and thirty-one; be it therefore enacted, That it shall and may be lawful for any Officer or Officers of Excise, at any Time within One Calendar Month after the passing of this Act, to take an Account of the Quantities of all Calicoes, Muslins, Linens, and Stuffs in the Custody or Possession of any Printer, Painter, Stainer, or Dyer in *Great Britain*, to be printed, painted, stained, or dyed; and if on such Account any such Officer of Excise shall miss or not have produced to him any Quantity or Quantities of Calicoes, Muslins, Linens, or Stuffs whereof an Account had been taken by any Officer or Officers of Excise before the said First Day of *March* One thousand eight hundred and thirty-one, and it shall not be satisfactorily shown to the Officer taking such Account that the Quantities of Calicoes,

An Account of Calicoes in the Possession of Printers, &c. to be taken within One Month after the passing of this Act, and all missing Pieces to be charged with Duty, if not proved to have paid it.

Muslins, Linens, or Stuffs so missing have been duly charged with the Duties of Excise payable thereon, every such Officer shall and he is hereby authorized and empowered to charge such Printer, Painter, Stainer, or Dyer with the Duties of such Calicoes, Muslins, Linens, or Stuffs as if the same had been printed, painted, stained, or dyed, and charged with Duty, before the said First Day of *March* One thousand eight hundred and thirty-one; and all Duties so charged shall be deemed and taken to be Arrears of Duty incurred before the said First Day of *March* One thousand eight hundred and thirty-one, and shall be recovered accordingly.

Drawbacks on the Removal and Exportation of Goods printed since December 1829 may be paid until June 1831.

III. And whereas it is expedient to provide for continuing for a certain Time the said Drawbacks on the Removal and Exportation of all such Calicoes, Muslins, Linens, and Stuffs as shall have been printed, stained, painted, or dyed in *Great Britain* since the Thirty-first Day of *December* One thousand eight hundred and twenty-nine; be it therefore enacted, That until the First Day of *June* One thousand eight hundred and thirty-one, the Drawbacks of the said Duties now payable shall be paid and payable on the Removal from *Great Britain* to *Ireland*, and on the Exportation from *Great Britain*, of all such Calicoes, Muslins, Linens, and Stuffs as shall appear by the Date of the Year in the Frame Mark of the Officer of Excise on both Ends of each Piece thereof to have been printed, stained, painted, or dyed in *Great Britain* since the Thirty-first Day of *December* One thousand eight hundred and twenty-nine; and all such printed, stained, painted, or dyed Calicoes, Muslins, Linens, and Stuffs shall be removed and exported, and the Drawbacks thereon paid, under the Laws, Enactments, and Regulations relating to the Removal and Exportation of such Goods in force before the passing of this Act; and from and after the said First Day of *June* One thousand eight hundred and thirty-one, except as to the Payment of any Drawback in respect of such Goods removed or exported on or before that Day, all such Drawbacks shall wholly cease and determine, and be no longer paid or payable.

Duties on Printed Linens removed from Ireland to Great Britain to continue until 1st June 1831, and then expire.

IV. And be it further enacted, That the said Duties shall continue to be charged, collected, and recovered under the Laws, Regulations, Penalties, and Forfeitures now in force on all Printed Calicoes, Muslins, Linens, and Stuffs removed from *Ireland* into *Great Britain*, until the said First Day of *June* One thousand eight hundred and thirty-one, when the Drawbacks on the Removal and Exportation of such Calicoes, Linens, Muslins, and Stuffs from *Great Britain* will expire; and from and after the said First Day of *June* One thousand eight hundred and thirty-one all the said Duties shall cease and determine.

From June 1831 to June 1832 all printed Goods brought from Ireland to Great Britain to be accompanied with a Certificate of their having been printed in Ireland.

V. And whereas by the Laws now in force for regulating the Exportation of Goods on Drawback, no Goods removed or exported on Payment of Drawback can be legally relanded in *Great Britain*, but the same on such relanding are forfeited, such Drawbacks having been granted to be payable only on the *bonâ fide* Removal or Exportation of Goods for Consumption elsewhere than in *Great Britain*: And whereas it may happen that, in anticipation of the Repeal of the Duties hereby repealed, Persons may have removed to *Ireland*, and during the Continuance of the Payment of the Drawbacks may continue to remove to *Ireland*, Linens, Calicoes, Muslins, and

and Stuffs, printed, painted, stained, or dyed in *Great Britain*, for the Purpose only of obtaining the Drawbacks payable on such Removal, and with the Intention of afterwards returning the Goods so removed free of Duty for Consumption in *Great Britain*, whereby a large Amount of Money will be payable for such Drawbacks, contrary to the Intentions of Parliament when such Drawbacks were granted, and to the great Injury of the Revenue, and it is expedient to provide against such Practices; be it therefore further enacted, That from and after the said First Day of *June* One thousand eight hundred and thirty-one, when the Duties and Drawbacks on the Removal of Printed Muslins, Linens, Calicoes, and Stuffs to and from *Great Britain* and *Ireland* respectively are to cease and determine, and until the First Day of *June* One thousand eight hundred and thirty-two, all printed, painted, stained, or dyed Muslins, Calicoes, Linens, and Stuffs, which shall be removed from *Ireland* to *Great Britain*, shall be accompanied by a Certificate granted and signed by the Printer, Painter, Stainer, or Dyer of such Muslins, Linens, Calicoes, or Stuffs, which Certificate shall set forth and specify the Quantity and Description of the Goods, and any Marks by which the same may be distinguished, and that the Goods were *bonâ fide* printed, painted, stained, or dyed in *Ireland* by such Printer, Painter, Stainer, or Dyer at his Field or Works (the Situation whereof shall also be stated); and the Person accompanying such Goods on their Removal, or to whom such Goods shall be consigned in *Great Britain*, or his Agent at the Port of Arrival, shall produce such Certificate to the proper Officer of Customs at such Port, and shall also make and sign a Declaration on such Certificate, that to the best of his Knowledge and Belief the Goods specified therein were wholly printed, painted, stained, or dyed in *Ireland*, and are not, nor any Part of them, *British* Goods which have been removed to *Ireland* on Drawback; and if after the said First Day of *June* One thousand eight hundred and thirty-one, and before the said First Day of *June* One thousand eight hundred and thirty-two, any printed, painted, stained, or dyed Goods shall be found on board any Vessel in *Ireland* for Removal to *Great Britain*, or shall be brought into any Port or Place in *Great Britain*, unaccompanied by such Certificate, or if on the Arrival of such Goods in *Great Britain* the Person accompanying the same, or the Consignee thereof, or his Agent, shall not deliver such Certificate, or shall not make such Declaration thereon, all such Goods shall be forfeited, and may be seized by any Officer of Customs or Excise; and if any Printer, Painter, Stainer, or Dyer of Printed Goods in *Ireland* shall give any false Certificate, or if any Person shall forge or counterfeit any such Certificate, or make use of any false or counterfeited Certificate, or shall make any false Declaration, every Person so offending shall forfeit One hundred Pounds.

Penalty on forging a Certificate or using a false one.

Act may be altered this Session.

VI. And be it further enacted, That this Act may be altered, amended, or repealed by any Act to be passed in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

****

CAP. XVIII.

An Act to explain and amend an Act of the Sixth Year of His late Majesty King *George* the Fourth, as far as regards the Settlement of the Poor by the renting and Occupation of Tenements.

[30th *March* 1831.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty *George* the Fourth, intituled *An Act for the Amendment of the Law respecting the Settlement of the Poor, as far as regards renting Tenements and paying Parochial Taxes,* it was among other things enacted, that no Person shall acquire a Settlement in any Parish or Township maintaining its own Poor by or by reason of settling upon, renting, or paying Parochial Rates for any Tenement not being his or her own Property, unless such Tenement shall consist of a separate and distinct Dwelling House or Building, or of Land, or of both, *bonâ fide* rented by such Person in such Parish or Township at and for the Sum of Ten Pounds a Year at the least for the Term of One whole Year; nor unless such House or Building, or Land, shall be occupied under such Yearly Hiring, and the Rent for the same to the Amount of Ten Pounds actually paid for the Term of One whole Year at the least: Provided always, that it shall not be necessary to prove the actual Values of such Tenements; any thing in any Act or Acts, or any Construction of or Implication from any Act or Acts, or any Usage or Custom, 6 G. 4. c. 57.

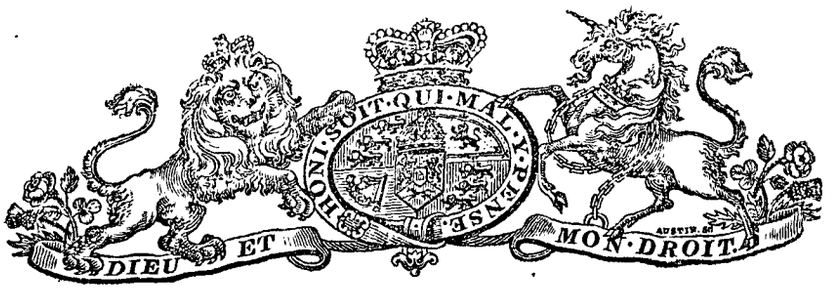
Custom, to the contrary notwithstanding: And whereas Doubts have arisen with respect to the Intentions of the Legislature concerning the Occupation of such House, Building, or Land by the Person hiring the same, and concerning the Amount of the Rent to be paid and the Person paying the same: And whereas it is expedient that such Doubts should be removed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Person shall acquire a Settlement in any Parish or Township maintaining its own Poor, by or by reason of such Yearly Hiring of a Dwelling House or Building, or of Land, or of both, as in the said Act expressed, unless such House or Building, or Land, shall be actually occupied under such Yearly Hiring in the same Parish or Township, by the Person hiring the same, for the Term of One whole Year at the least, and unless the Rent for the same, to the Amount of Ten Pounds at the least, shall be paid by the Person hiring the same.

No Person shall acquire a Settlement by reason of a Yearly Hiring of a Tenement, or of Land, unless he shall actually occupy the same.

II. Provided always, and be it further enacted, That where the yearly Rent shall exceed Ten Pounds, Payment to the Amount of Ten Pounds shall be deemed sufficient for the Purpose of gaining a Settlement under the said recited Act.

Payment to the Amount of 10*l.* shall gain a Settlement.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.



ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XIX.

An Act to extend the Provisions of an Act of the Fifty-fifth Year of the Reign of King *George* the Third, to provide for the taking an Account of the Population of *Ireland*, and for ascertaining the Increase or Diminution thereof.

[30th *March* 1831.]

WHEREAS by an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to provide for the taking an Account of the Population of* Ireland, *and for the ascertaining the Increase or Diminution thereof*, it is among other Things enacted, that Schedules of Instructions for carrying the said Act into execution, and Forms of the several Accounts and Returns required to be made by the said Act, and of the Attestations of such Accounts and Returns, and of all other Matters and Things requisite for the Purpose of fully carrying into execution the Purposes of the said Act, should be prepared by an Officer to be appointed by the Chief Secretary to the Lord Lieutenant of *Ireland*, under the Directions of such Chief Secretary, and that printed Copies of such Instructions and Forms should be transmitted, and acted upon, from Time to Time, for the Purposes of the said Act, in manner by the said Act specified and required: And whereas by an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, 55G.3.c.120.

3 G. 4. c. 5. Fourth, intituled *An Act to repeal so much of an Act made in the Fifty-fifth Year of the Reign of His late Majesty, for taking an Account of the Population of* Ireland, *as relates to certain Expences to be incurred under the said Act,* Part of the said Act of the Fifty-fifth Year of the Reign of His Majesty King *George* the Third was repealed: And whereas by an Act passed in the last Session 11 G. 4. c. 30. of Parliament, intituled *An Act for taking an Account of the Population of* Great Britain, *and of the Increase or Diminution thereof,* it was directed that Inquiry should be made into certain Particulars relating to the Matters specified in certain Questions in the Schedule to such Act annexed, and that from the Information obtained by such Inquiry Answers or Returns to the said Questions should be prepared in the Form prescribed in the said Schedule: And whereas it is expedient that the Powers contained in the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third should be applied and put in execution for the obtaining Answers and Returns in *Ireland* as nearly as possible similar to those required in *Great Britain* by the said recited Act of the last Session; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for such Officer as may be from Time to Time appointed by the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to digest and arrange the Returns to be made pursuant to the said recited Act of the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, in like Manner to prepare, under the like Direction of such Chief Secretary, such Schedule and Explanations as may be necessary for the obtaining such and the like Information in and throughout *Ireland* as is required in *Great Britain* by the said recited Act of the last Session of Parliament, so far as the same or any Part thereof can or may be obtained in *Ireland;* and printed Copies of such Schedule and Explanations shall be transmitted by such Officer to the Clerk of the Peace and Town Clerks in every County, County of a City, and County of a Town in *Ireland,* to be by them distributed in like Manner as by the said Act of the Fifty-fifth Year of the Reign of King *George* the Third aforesaid is required and directed with respect to the Instructions and Forms mentioned in that Act.

The Officer appointed under 55 G. 3. shall transmit such Schedule and Explanations as may be necessary to obtain, in Ireland, the Information required in Great Britain by 11 G. 4. c. 30.

II. And be it, and it is hereby enacted, That all such Proceedings shall be had and shall take place, for obtaining the Information required by such Schedule and Explanations, as are authorized and required by the said Act of the said Fifty-fifth Year of the Reign of King *George* the Third with respect to the Information sought by the Instructions and Forms mentioned or referred to by that Act.

Proceedings for obtaining such Information shall be had in like manner as required by 55 G. 3. c. 120.

III. And be it further enacted, That with all convenient Speed after the passing of this Act so many printed Copies of this Act, and of the said recited Act of the last Session of Parliament, and of

Copies of this Act and the recited Acts shall be pro-

the said Acts of the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, and of the Third Year of the Reign of His late Majesty King *George* the Fourth, shall be provided by His Majesty's Printer, for the Office of the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in *Dublin*, as shall be required by or on behalf of such Chief Secretary for carrying into effect the Purposes of this Act. vided for the Chief Secretary's Office.

IV. And be it further enacted, That the Persons who shall be appointed under Authority of the said Act of the Fifty-fifth Year of the Reign of King *George* the Third, for the Purpose of taking the Accounts relating to the existing Population of *Ireland* mentioned and specified in the Instructions or Forms authorized by that Act, shall and are hereby authorized and required to inquire into the several Particulars specified in the Schedule and Explanations to be issued under Authority of this Act, and to prepare Answers and Returns accordingly, and, at such Time and in such Manner as by the said Act of the Fifty-fifth Year of the Reign of King *George* the Third, such Persons are required, authorized, and empowered to inform themselves of the several Matters and Particulars included in the Schedules of Instructions and Forms of Accounts prepared and issued under Authority of that Act. Persons to be appointed to take the Accounts under 55 G. 3. shall inquire into and prepare Returns of the Particulars hereby required.

V. And be it, and it is hereby enacted, That all the Powers, Regulations, Clauses, Provisions, Penalties, Matters, and Things in the said Act of the Fifty-fifth Year of the Reign of His Majesty King *George* the Third mentioned, relating to the taking Accounts of the Number of Persons who shall be actually found within the Limits of every Parish, Barony, Townland, District, Division, or Place in *Ireland*, shall be applied and extended to the Purposes of this Act, so far as the same are applicable or can be applied to such Purposes. Powers and Penalties of recited Act of 55 G. 3. extended to this Act.

VI. And be it further enacted, That all Answers and Returns of the Particulars comprised in the Schedule and Explanations to be prepared and issued under and by virtue of the Provisions of this Act, shall be transmitted to the Office of the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by such Persons and in such Manner as is required with respect to Returns under the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third; and such Answers and Returns, so transmitted to the Office of such Chief Secretary, shall be digested and reduced into Order by such Officer as such Chief Secretary shall appoint for the Purpose; and an Abstract thereof shall be from Time to Time laid before both Houses of Parliament, in like Manner, and at the same Time, as the Accounts obtained under the said Act of the Fifty-fifth Year of the Reign of King *George* the Third. Answers and Returns hereby required shall be transmitted to the Office of the Chief Secretary, to be digested, and an Abstract thereof laid before Parliament.

VII. And be it further enacted, That there shall be paid and allowed, for the Trouble and Expence of the several Persons employed in making the Inquiries and preparing the Answers and Returns required by this Act, such reasonable Compensation, to Compensation to Persons employed.

be

be estimated, calculated, and paid in such Manner as is directed by the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third, with respect to the Accounts and Returns mentioned in the said Act: Provided always, that it shall not be necessary or requisite that any Copies of such Accounts shall be made by any Clerks of the Peace or Town Clerks, or lodged among the County Records; any thing in the said Act of the Fifty-fifth Year of the Reign of King *George* the Third aforesaid to the contrary notwithstanding.

Copies not to be made by Clerks of Peace.

VIII. And be it further enacted, That the several Rules, Regulations, Penalties, and Forfeitures contained and expressed in the said recited Act of the Fifty-fifth Year of the Reign of King *George* the Third aforesaid, shall be applied and put in force for the Execution of this Act; and all such Rules, Regulations, Penalties, Forfeitures, and all Directions relating thereto, are hereby extended to the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act, except only so far as the same are repealed by the Act hereinbefore recited, made in the Third Year of the Reign of His late Majesty King *George* the Fourth, or as the same are expressly altered or provided for by this Act.

Regulations and Penalties under 55 G.3. c. 120. extended to this Act, except as repealed by 3 G. 4. c. 5.

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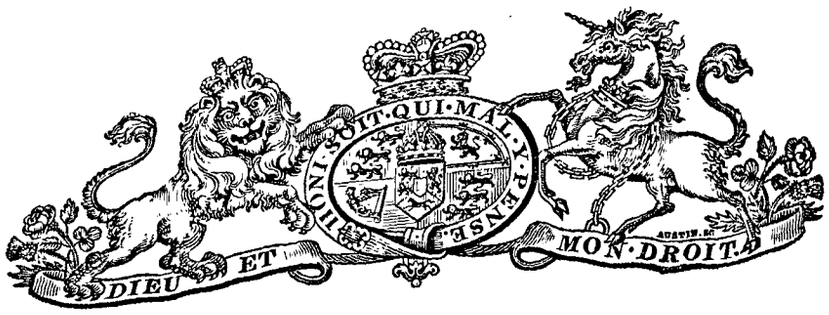

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XX.

An Act to explain and amend the Laws relating to Lands holden in Free and Common Soccage in the Province of *Lower Canada*.

[30th *March* 1831.]

WHEREAS by an Act made in the Thirty-first Year of the Reign of His Majesty King *George* the Third, intituled *An Act to repeal certain Parts of an Act passed in the Fourteenth Year of His Majesty's Reign, intituled* '*An Act for making* '*more effectual Provision for the Government of the Province of* 'Quebec *in* North America, *and to make further Provision for the* '*Government of the Province*,' it was amongst other Things enacted, that in every Case where Lands should be thereafter granted within the Province of *Lower Canada*, and where the Grantee thereof should desire the same to be granted in Free and Common Soccage, the same should be so granted, but subject nevertheless to such Alterations with respect to the Nature and Consequences of such Tenure of Free and Common Soccage as might be established by any Law or Laws which might be made by His Majesty, His Heirs and Successors, by and with the Advice and Consent of His or Their Privy Council: And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to provide for the Extinction of Feudal and Seignioral Rights and Burthens on Lands held* à Titre de Fief *and* à Titre de Cens *in the* 31 G. 3. c. 31. 6 G. 4. c. 59.

Province of Lower Canada, *and for the gradual Conversion of those Tenures into the Tenure of Free and Common Soccage, and for other Purposes relating to the said Province*, after reciting that Doubts had arisen whether Lands granted in the said Province of *Lower Canada* by His said late Majesty King *George* the Fourth, or by any of His Royal Predecessors, to be holden in Free and Common Soccage, would be held by the Owners thereof, or would subsequently pass to other Persons, according to the Rules of Descent and Alienation in force in *England*, or according to such Rules as were established by the ancient Laws of the said Province for the Descent and Alienation of Land situate therein, it was thereby declared and enacted, that all Lands within the said Province of *Lower Canada*, which had theretofore been granted by His said late Majesty, His Heirs and Successors, to any Person or Persons, their Heirs and Assigns, to be holden in Free and Common Soccage, or which should or might thereafter be so granted by His said late Majesty, His Heirs and Successors, to any Person or Persons, their Heirs and Assigns, to be holden in Free and Common Soccage, might and should be by such Grantees, their Heirs and Assigns, held, granted, bargained, sold, aliened, conveyed, and disposed of, and might and should pass by Descent, in such Manner and Form, and upon and under such Rules and Restrictions, as are by the Law of *England* established and in force in reference to the Grant, Bargain, Sale, Alienation, Conveyance, Disposal, and Descent of Lands holden by the like Tenure therein situate, or to the Dower or other Rights of Married Women in such Lands, and not otherwise, any Law, Custom, or Usage to the contrary in anywise notwithstanding; and it was thereby provided, that nothing therein contained should extend to prevent His Majesty, with the Advice and Consent of the Legislative Council and Assembly of the Province of *Lower Canada*, from making and enacting any such Laws or Statutes as might be necessary for the better adapting the before-mentioned Rules of the Law of *England*, or any of them, to the local Circumstances and Conditions of the said Province of *Lower Canada* and the Inhabitants thereof: And whereas Doubts have arisen how far it is competent to His Majesty, with the Advice and Consent of the said Legislative Council and Assembly, to make and enact any Laws or Statutes establishing Rules respecting the Descent of Lands so granted in Free and Common Soccage as aforesaid, or respecting the Grant, Bargain, Sale, Alienation, Conveyance, or Disposal of such Lands, or respecting the Dower or other Rights of Married Women in or to such Lands, in any Case wherein such Rules are repugnant to or at variance with the Law of *England;* and it is expedient that such Doubts should be removed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, His Heirs and Successors, to assent to or to authorize His or Their Assent to be given to any Bill or Bills which hath or have heretofore been or which may hereafter be passed by the said Legislative Council and Assembly for regulating the Descent, Grant, Bargain, Sale, Alienation, Conveyance, or Disposal of any Lands which are now or which may

His Majesty may assent to any Bill passed by the Legislative Council and Assembly of Lower Canada for regulating the Descent or Grant

hereafter be holden in Free and Common Soccage within the said Province of *Lower Canada*, or for regulating the Dower or other Rights of Married Women in such Lands; any Repugnancy or supposed Repugnancy of any such Regulations to the Law of *England*, or to any of the Provisions in the before-recited Acts of Parliament or either of them contained, to the contrary in anywise notwithstanding.

of Lands, &c. notwithstanding any Repugnancy in such Regulations to the Law of England.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXI.

An Act to improve the Proceedings in Prohibition and on Writs of Mandamus. [30th *March* 1831.]

WHEREAS the filing a Suggestion of Record on Application for a Writ of Prohibition is productive of unnecessary Expence, and the Allegation of Contempt in a Declaration in Prohibition filed before Writ issued is an unnecessary Form; and it is expedient to make some better Provision for Payment of Costs in Cases of Prohibition; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall not be necessary to file a Suggestion on any Application for a Writ of Prohibition, but such Application may be made on Affidavits only; and in case the Party applying shall be directed to declare in Prohibition before Writ issued, such Declaration shall be expressed to be on behalf of such Party only, and not, as heretofore, on the Behalf of the Party and of His Majesty, and shall contain and set forth in a concise Manner so much only of the Proceeding in the Court below as may be necessary to shew the Ground of the Application, without alleging the Delivery of a Writ or any Contempt, and shall conclude by praying that a Writ of Prohibition may issue; to which Declaration the Party Defendant may demur, or plead such Matters, by way of Traverse or otherwise, as may be proper to shew that the Writ ought not to issue, and conclude by praying that such Writ may

Applications for Writs of Prohibitions may be made on Affidavit only.

Contents of Declaration in case the Party is directed to declare in Prohibition.

Defendant may demur to Declaration.

Judgment. Costs. Damages.

may not issue; and Judgment shall be given, that the Writ of Prohibition do or do not issue, as Justice may require; and the Party in whose Favour Judgment shall be given, whether on Nonsuit, Verdict, Demurrer, or otherwise, shall be entitled to the Costs attending the Application and subsequent Proceedings, and have Judgment to recover the same; and in case a Verdict shall be given for the Party Plaintiff in such Declaration, it shall be lawful for the Jury to assess Damages, for which Judgment shall also be given, but such Assessment shall not be necessary to entitle the Plaintiff to Costs.

So much of 2 & 3 Ed. 6. c. 13. as relates to Prohibition repealed.

II. And be it further enacted, That so much of an Act passed in the Second and Third Years of the Reign of King *Edward* the Sixth, intituled *An Act for Payment of Tithes*, as relates to Prohibition, shall be and the same is hereby repealed.

The Enactments of 9 Ann. c. 20. relating to Returns to Writs of Mandamus therein mentioned, and the Proceedings thereon, extended to all other Writs of Mandamus.

III. And whereas the Provisions contained in a certain Act of Parliament passed in the Ninth Year of the Reign of Queen *Anne*, intituled *An Act for rendering the Proceedings upon Writs of Mandamus and Informations in the Nature of a Quo warranto more speedy and effectual, and for the more easy trying and determining the Rights of Offices and Franchises in Corporations and Boroughs*, relating to the Writs of Mandamus therein mentioned, have been found useful and convenient, and the same ought to be extended to the Proceeding on other such Writs; be it therefore enacted, That the several Enactments contained in the said Statute relating to the Return to Writs of Mandamus, and the Proceedings on such Returns, and to the Recovery of Damages and Costs, shall be and the same are hereby extended and made applicable to all other Writs of Mandamus, and the Proceedings thereon, except so far only as the same may be varied or altered by this Act.

For Protection of certain Officers to whom Writs of Mandamus are directed.

IV. And whereas Writs of Mandamus, other than such as relate to the Offices and Franchises mentioned in or provided for by the said Act made in the Ninth Year of the Reign of Queen *Anne*, are sometimes issued to Officers and other Persons, commanding them to admit to Offices, or do or perform other Matters, in respect whereof the Persons to whom such Writs are directed claim no Right or Interest, or whose Functions are merely ministerial in relation to such Offices or Matters; and it may be proper that such Officers and Persons should in certain Cases be protected against the Payment of Damages or Costs to which they may otherwise become liable; be it therefore enacted, That it shall be lawful for the Court to which Application may be made for any Writ of Mandamus, (other than such as relate to the said Offices and Franchises mentioned in or provided for by the said Act made in the Reign of Queen *Anne*,) if such Court shall see fit so to do, to make Rules and Orders, calling, not only upon the Person to whom such Writ may be required to issue, but also all and every other Person having or claiming any Right or Interest in or to the Matter of such Writ, to shew Cause against the issuing of such Writ and Payment of Costs of the Application, and upon the Appearance of such other Person in compliance with such Rules, or in default of Appearance after Service thereof, to exercise all such Powers and Authorities, and make all such Rules

and Orders, applicable to the Case, as are or may be given or mentioned by or in any Act passed or to be passed during this present Session of Parliament for giving Relief against adverse Claims made upon Persons having no Interest in the Subject of such Claims: Provided always, that the Return to be made to any such Writ, and Issues joined in Fact or in Law upon any Traverse thereof, or upon any Demurrer, shall be made and joined by and in the Name of the Person to whom such Writ shall be directed; but nevertheless the same shall and may, if the Court shall think fit so to direct, be expressed to be made and joined on the Behalf of such other Person as may be mentioned in such Rules; and in that Case such other Person shall be permitted to frame the Return, and to conduct the subsequent Proceedings, at his own Expence; and in such Case, if any Judgment shall be given for or against the Party suing such Writ, such Judgment shall be given against or for the Person or Persons on whose Behalf the Return shall be expressed to be made, and who shall have the like Remedy for the Recovery of Costs and enforcing the Judgment as the Person to whom the Writ shall have been directed might and would otherwise have had.

Proceedings not to abate by Removal of Officer.

V. And be it further enacted, That in case the Return to any such Writ shall, in pursuance of the Authority given by this Act, be expressed to be made on behalf of any other Person as aforesaid, the further Proceedings on such Writ shall not abate or be discontinued by the Death or Resignation of, or Removal from Office of, the Person having made such Return, but the same shall and may be continued and carried on in the Name of such Person; and if a peremptory Writ shall be awarded, the same shall and may be directed to any Successor in Office or Right to such Person.

Costs to be in the Discretion of the Court.

VI. And for making some further Provision for the Payment of Costs on Applications for Mandamus, be it further enacted, That in all Cases of Application for any Writ of Mandamus whatsoever, the Costs of such Application, whether the Writ shall be granted or refused, and also the Costs of the Writ, if the same shall be issued and obeyed, shall be in the Discretion of the Court, and the Court is hereby authorized to order and direct by whom and to whom the same shall be paid.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXII.

An Act to enable Courts of Law to order the Examination of Witnesses upon Interrogatories and otherwise. [30th *March* 1831.]

WHEREAS great Difficulties and Delays are often experienced, and sometimes a Failure of Justice takes place, in Actions depending in Courts of Law, by reason of the Want of a competent Power and Authority in the said Courts to order and enforce the Examination of Witnesses, when the same may be required, before the Trial of a Cause: And whereas by an Act passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the establishing certain Regulations for the better Management of the Affairs of the* East India *Company, as well in* India *as in* Europe, certain Powers are given and Provisions made for the Examination of Witnesses in *India* in the Cases therein mentioned; and it is expedient to extend such Powers and Provisions: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every the Powers, Authorities, Provisions, and Matters contained in the said recited Act, relating to the Examination of Witnesses in *India*, shall be and the same are hereby extended to all Colonies, Islands, Plantations, and Places under the Dominion of His Majesty in Foreign Parts, and to the Judges of the several Courts therein, and

13 G. 3. c. 63.

Powers of the recited Act, as to the Examination of Witnesses in India, extended to the Colonies, &c.

and to all Actions in the Courts at Westminster, when Examination by Commission shall appear necessary.

and to all Actions depending in any of His Majesty's Courts of Law at *Westminster*, in what Place or Country soever the Cause of Action may have arisen, and whether the same may have arisen within the Jurisdiction of the Court to the Judges whereof the Writ or Commission may be directed, or elsewhere, when it shall appear that the Examination of Witnesses under a Writ or Commission issued in pursuance of the Authority hereby given will be necessary or conducive to the due Administration of Justice in the Matter wherein such Writ shall be applied for.

Judges to whom the Commission is directed empowered to enforce the Attendance of Witnesses.

II. And be it further enacted, When any Writ or Commission shall issue under the Authority of the said recited Act, or of the Power herein-before given by this Act, the Judge or Judges to whom the same shall be directed shall have the like Power to compel and enforce the Attendance and Examination of Witnesses as the Court whereof they are Judges does or may possess for that Purpose in Suits or Causes depending in such Court.

Costs of Writs to be in the Discretion of the Court.

III. And be it further enacted, That the Costs of every Writ or Commission to be issued under the Authority of the said recited Act, or of the Power herein-before given by this Act, in any Action at Law depending in either of the said Courts at *Westminster*, and of the Proceedings thereon, shall be in the Discretion of the Court issuing the same.

Courts at Westminster, Lancaster, and Durham may order the Examination of Witnesses within their Jurisdiction by an Officer of the Court; or may order a Commission for that Purpose out of their Jurisdiction.

IV. And be it further enacted, That it shall be lawful to and for each of the said Courts at *Westminster*, and also the Court of Common Pleas of the County Palatine of *Lancaster*, and the Court of Pleas of the County Palatine of *Durham*, and the several Judges thereof, in every Action depending in such Court, upon the Application of any of the Parties to such Suit, to order the Examination on Oath, upon Interrogatories or otherwise, before the Master or Prothonotary of the said Court, or other Person or Persons to be named in such Order, of any Witnesses within the Jurisdiction of the Court where the Action shall be depending, or to order a Commission to issue for the Examination of Witnesses on Oath at any Place or Places out of such Jurisdiction, by Interrogatories or otherwise, and by the same or any subsequent Order or Orders to give all such Directions touching the Time, Place, and Manner of such Examination, as well within the Jurisdiction of the Court wherein the Action shall be depending as without, and all other Matters and Circumstances connected with such Examinations, as may appear reasonable and just.

Compelling Attendance of Witnesses, or Production of Documents.

V. And be it further enacted, That when any Rule or Order shall be made for the Examination of Witnesses within the Jurisdiction of the Court wherein the Action shall be depending, by Authority of this Act, it shall be lawful for the Court, or any Judge thereof, in and by the first Rule or Order to be made in the Matter, or any subsequent Rule or Order, to command the Attendance of any Person to be named in such Rule or Order for the Purpose of being examined, or the Production of any Writings or other Documents to be mentioned in such Rule or Order, and to direct the Attend-

ance of any such Person to be at his own Place of Abode, or elsewhere, if necessary or convenient so to do; and the wilful Disobedience of any such Rule or Order shall be deemed a Contempt of Court, and Proceedings may be thereupon had by Attachment (the Judge's Order being made a Rule of Court before or at the Time of the Application for an Attachment), if, in addition to the Service of the Rule or Order, an Appointment of the Time and Place of Attendance in obedience thereto, signed by the Person or Persons appointed to take the Examination, or by One or more of such Persons, shall be also served together with or after the Service of such Rule or Order: Provided always, that every Person whose Attendance shall be so required shall be entitled to the like Conduct Money and Payment for Expences and Loss of Time as upon Attendance at a Trial: Provided also, that no Person shall be compelled to produce, under any such Rule or Order, any Writing or other Document that he would not be compellable to produce at a Trial of the Cause.

Disobedience to be deemed a Contempt of Court.

Payment of Expences.

Proviso as to Production of Documents.

VI. And be it further enacted, That it shall be lawful for any Sheriff, Gaoler, or other Officer having the Custody of any Prisoner, to take such Prisoner for Examination under the Authority of this Act, by virtue of a Writ of Habeas corpus to be issued for that Purpose, which Writ shall and may be issued by any Court or Judge under such Circumstances and in such Manner as such Court or Judge may now by Law issue the Writ commonly called a Writ of Habeas corpus ad testificandum.

Prisoners may be removed by Habeas corpus for Examination.

VII. And be it further enacted, That it shall be lawful for all and every Person authorized to take the Examination of Witnesses by any Rule, Order, Writ, or Commission made or issued in pursuance of this Act, and he and they are hereby authorized and required to take all such Examinations upon the Oath of the Witnesses, or Affirmation in Cases where Affirmation is allowed by Law instead of Oath, to be administered by the Person so authorized, or by any Judge of the Court wherein the Action shall be depending; and if upon such Oath or Affirmation any Person making the same shall wilfully and corruptly give any false Evidence, every Person so offending shall be deemed and taken to be guilty of Perjury, and shall and may be indicted and prosecuted for such Offence in the County wherein such Evidence shall be given, or in the County of *Middlesex* if the Evidence be given out of *England*.

Examinations of Witnesses to be taken upon Oath.

Persons giving false Evidence to be deemed guilty of Perjury.

VIII. And be it further enacted, That it shall and may be lawful for the Master, Prothonotary, or any other Persons to be named in any such Rule or Order as aforesaid for taking any Examination in pursuance thereof, and he and they are hereby required, to make, if Need be, a special Report to the Court touching such Examination, and the Conduct or Absence of any Witness or other Person thereon or relating thereto; and the Court is hereby authorized to institute such Proceedings and make such Order and Orders upon such Report as Justice may require, and as may be instituted and made in any Case of Contempt of the Court.

Persons appointed for taking Examinations to report to the Court upon the Conduct or Absence of Witnesses, if necessary.

IX. And

Costs of the Order for Examination may be made Costs in the Cause.

IX. And be it further enacted, That the Costs of every Rule or Order to be made for the Examination of Witnesses under any Commission or otherwise by virtue of this Act, and of the Proceedings thereupon, shall (except in the Case herein-before provided for) be Costs in the Cause, unless otherwise directed either by the Judge making such Rule or Order, or by the Judge before whom the Cause may be tried, or by the Court.

Restriction as to the reading of Examinations or Depositions without Consent of the Party.

X. And be it further enacted, That no Examination or Deposition to be taken by virtue of this Act shall be read in Evidence at any Trial without the Consent of the Party against whom the same may be offered, unless it shall appear to the Satisfaction of the Judge that the Examinant or Deponent is beyond the Jurisdiction of the Court, or dead, or unable from permanent Sickness or other permanent Infirmity to attend the Trial; in all or any of which Cases the Examinations and Depositions certified under the Hand of the Commissioners, Master, Prothonotary, or other Person taking the same, shall and may, without Proof of the Signature to such Certificate, be received and read in Evidence, saving all just Exceptions.

Proviso as to Judges of Durham.

XI. Provided always, and be it further enacted, That no Order shall be made in pursuance of this Act by a single Judge of the Court of Pleas of the said County Palatine of *Durham*, who shall not also be a Judge of one of the said Courts at *Westminster*.

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ANNO PRIMO

GULIELMI IV. REGIS.

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Powers of recited Act extended to this Act.

II. And be it further enacted, That the several Powers, Provisions, Matters, and Things contained in the said recited Act shall be extended to this Act, and the Duties and Bounties hereby continued, in as full and ample a Manner as if the same had been repeated and re-enacted in this Act, and made Part thereof.

Monies paid into the Exchequer under this Act shall be separate from other Payments.

III. And be it further enacted, That there shall be provided and kept in the Office of the Auditor of the Receipt of His Majesty's Exchequer at *Westminster* One Book of Register, in which all the Money that shall be paid into the said Exchequer from so much of the said Rates and Duties hereby granted on Sugar as shall arise and be payable in *Great Britain* shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty; and it shall be lawful for the Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament; and that so much of the said Duties on Sugar as shall arise and be payable in *Ireland* shall be paid into the Receipt of the Exchequer there, and shall be carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Treasury may direct Exchequer Bills to be made out, not exceeding 3,000,000*l*.

IV. And be it further enacted, That it shall be lawful for the said Commissioners of His Majesty's Treasury, at any Time or Times when they shall think fit so to do, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster*, for any Sum or Sums of Money not exceeding in the whole, including any Sum or Sums of Money issued towards the Aids or Supplies in pursuance of this Act, the Sum of Three Millions, in the same or like Manner, Form, and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

48 G. 3. c. 1.

Powers of 48 G. 3. c. 1. extended to this Act.

V. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act passed in the Forty-eighth Year of the Reign of His said late Majesty shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Exchequer Bills to bear an Interest.

VI. And be it further enacted, That the Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Four Pounds *per Centum per Annum* upon or in respect of the whole of the Monies respectively contained therein.

Bank of England may advance Money on the Credit of this Act,

VII. And be it declared and enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, at the Receipt of the Exchequer at *Westminster*, upon the Credit of the Exchequer Bills authorized by this Act, any

Sum or Sums of Money not exceeding in the whole the Sum of Three Millions; any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding. notwithstanding 5 & 6 W. & M. c. 20.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury, and they are hereby authorized and empowered, to cause such Bills as shall be prepared by virtue of this Act to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of Exchequer; each and every of which Tellers shall be severally charged with a Proportion of the said Bills which shall be so placed in his Office respectively, any Law or Usage to the contrary notwithstanding. Bills to be placed as Cash in the Exchequer;

IX. And be it further enacted, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash according to the Course of the Exchequer at *Westminster*, and shall be taken and esteemed as so much in part of the Remains in real Money wherewith each of the said Tellers shall from Time to Time stand charged, in common with other the Monies in the said Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the said Commissioners of the Treasury to issue and apply the same from Time to Time to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament. and to be issuable thereout in common with other Monies.

X. Provided always, and be it further enacted, That the Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall be and the same are hereby made chargeable and charged upon the Rates, Duties, and Assessments granted by this Act; and it shall be lawful for the said Commissioners of the Treasury and they are hereby authorized from Time to Time to direct to be issued to the said Paymasters, by way of Imprest and upon Account, such Sums of Money and at such Periods as the said Commissioners shall think necessary for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, or any of them, and for and towards paying the Interest to become due on the said Bills, and for and towards the Charge of exchanging and circulating the same Bills, or any of them. Exchequer Bills to be charged on the Duties granted by this Act.

XI. And be it further enacted, That on the Fifth Day of *July* One thousand eight hundred and thirty-two, or within Ten Days after, the said Commissioners of the Treasury or any Three or more of them now being, or the Lord High Treasurer or any Three or more of the said Commissioners of the Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, shall cause a true Account of Exchequer Bills to be taken.

true and perfect Account in Writing to be taken and attested by the proper Officers of the Amount of all Exchequer Bills that shall have been issued by virtue of this Act, and how much thereof shall before that Time have been paid off or discharged, and how much thereof shall then remain undischarged.

Money due on Exchequer Bills to be paid out of the next Aids.

XII. And be it further enacted, That the Monies so remaining unsatisfied or not discharged, with the Interest due or to grow due thereon, and the Charges of exchanging and circulating the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament after the said Fifth Day of *July* One thousand eight hundred and thirty-two.

Surplus Monies to be carried to Consolidated Fund.

XIII. And be it further enacted, That the Surplus of the Monies arising from the Rates, Duties, and Assessments granted and imposed by this Act, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall, as a Surplus of any such Monies respectively shall be paid into the Receipt of the Exchequer at *Westminster*, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Treasury to allow the necessary Charges of making forth new Exchequer Bills;

XIV. Provided also, and be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them now being, or the said Lord High Treasurer or any Three or more of the said Commissioners of the Treasury for the Time being, and he or they is and are hereby authorized and empowered, to pay and allow, or cause to be paid and allowed, out of the Monies to arise of or from the said Rates and Duties hereby granted, or of or from the said Consolidated Fund, from Time to Time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges as shall be necessarily incident in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

to be replaced out of the first Supplies.

XV. Provided always, and be it enacted, That whatever Monies shall be issued out of the said Consolidated Fund shall from Time to Time be replaced by and out of the first Supplies to be thenafter granted by Parliament; any thing herein contained to the contrary notwithstanding.

Act may be altered this Session.

XVI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXIV.

An Act to amend an Act of the Sixth Year of His late Majesty, to regulate the Trade of the *British* Possessions Abroad. [22d *April* 1831.]

WHEREAS by an Act passed in the Sixth Year of His late Majesty's Reign, intituled *An Act to regulate the Trade of the* British *Possessions Abroad*, and by subsequent Acts made and passed to alter and amend the said Act, certain Duties of Customs are imposed on Articles of Foreign Production when imported or brought into the *British* Possessions in *America*: And whereas it is expedient to repeal some of the said Duties, and to alter or vary others of them; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifteenth Day of *April* One thousand eight hundred and thirty-one, so much of the said Acts as imposes any Duty in any of the *British* Possessions in *America*, upon the Importation or bringing in of Corn or Grain unground, or of Meal or Flour not made of Wheat, or of Bread or Biscuit, or of Rice, or of Live Stock, shall be and the same is hereby repealed. 6 G. 4. c. 114. Repeal of Duties upon the Importation of Corn, &c. into British Possessions in America;

II. And be it further enacted, That so much of any of the said Acts as imposes any Duty in the Provinces of *Upper* or *Lower Canada* upon the Importation or bringing in of Wheat Flour, or of Beef, of Wheat Flour, &c. into Canada;

Beef, Pork, Hams, or Bacon, or of Wood or Lumber, shall be and the same is hereby repealed.

of Wood or Lumber into Nova Scotia, &c.

III. And be it further enacted, That so much of any of the said Acts as imposes any Duty, in *New Brunswick*, *Nova Scotia*, or *Prince Edward's Island*, upon Wood or Lumber, shall be and the same is hereby repealed.

and of Wheat Flour, &c. from the British Possessions in N. America into the West Indies, &c.

IV. And be it further enacted, That so much of any of the said Acts as imposes any Duty, in the *British* Possessions on the Continent of *South America* or in the *West Indies*, or in the *Bahama* or *Bermuda* Islands, upon Wheat Flour, or upon Beef, Pork, Hams, or Bacon, or upon Wood or Lumber, when imported from any of the *British* Possessions in *North America*, shall be and the same is hereby repealed.

Duties of Importation from any Foreign Country into the West Indies, &c.

V. And be it further enacted, That upon the Importation from any Foreign Country into the *British* Possessions on the Continent of *South America* or in the *West Indies*, or into the *Bahama* or *Bermuda* Islands, of the Articles mentioned in the following Table, there shall be raised, levied, collected, and paid unto His Majesty the several temporary additional Duties as the same are set forth in the said Table; (that is to say,)

TABLE of ADDITIONAL DUTIES.

	£	s.	d.
Staves and Headings, until the First Day of January 1834, - - - - - the 1000	0	11	3
on and from the First of January 1834 to the First Day of January 1836, - the 1000	0	7	3
White or Yellow Pine Lumber, until the First Day of January 1834, - the 1000 Feet of One Inch thick	0	7	0
on and from the First Day of January 1834 to the First Day of January 1836, the 1000 Feet of One Inch thick	0	5	0

Duties to be levied and collected as if imposed by recited Act.

VI. And be it further enacted, That the Duties imposed by this Act shall be raised, levied, collected, and paid unto His Majesty in like Manner as if such Duties had been imposed by the said first-mentioned Act, and had been set forth in the Table of Duties therein contained.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXV.

An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of *Great Britain* and *Ireland*. [22d *April* 1831.]

Most Gracious Sovereign.

WHEREAS an Act was passed in the Parliament of *Great Britain* in the First Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of* Great Britain; an Act passed in the Twenty-second Year of the Reign of His said late Majesty, intituled *An Act for enabling His Majesty to discharge the Debt contracted upon His Civil List Revenues, and for preventing the same from being in arrear for the future, by regulating the Mode of Payments out of the said Revenues, and by suppressing or regulating certain Offices therein mentioned which are now paid out of the Revenues of the Civil List;* an Act passed in the Twenty-fifth Year of the Reign of His said late Majesty, intituled *An Act to authorize the Lord Steward of the Household, the Lord Chamberlain, the Master of the Horse, the Master of the Robes, and the Lords of the Treasury respectively, to pay Bounties granted by His Majesty to Persons in low and indigent Circumstances;* an Act passed in the Twenty-seventh Year of the Reign of His said late Majesty, for the Purpose (among other Things) of repealing the

1 G. 3. c. 1.

22 G. 3. c. 82.

25 G. 3. c. 61.

27 G. 3. c. 13.

several

several Duties of Customs and Excise, and granting other Duties in lieu thereof, and for applying the said Duties, together with other Duties composing the Public Revenue; an Act passed in the Parliament of *Ireland* in the Thirty-third Year of the Reign of His said late Majesty, intituled *An Act for the Support of the Honour and Dignity of His Majesty's Crown in* Ireland, *and for granting to His Majesty a Civil List Establishment, under certain Provisions and Regulations;* an Act passed in the Fifty-sixth Year of the Reign of His said late Majesty, intituled *An Act for the better Regulation of the Civil List;* an Act passed in the Fifty-ninth Year of the Reign of His said late Majesty, intituled *An Act for the further Regulation of His Majesty's Household, and the Care of His Royal Person during the Continuance of His Indisposition;* an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of* Great Britain *and* Ireland; an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act for removing Doubts as to the Continuance of the Hereditary Revenues in* Scotland; an Act passed in the last Session of Parliament, intituled *An Act to repeal certain of the Duties on Cider in the United Kingdom, and on Beer and Ale in* Great Britain, *and to make other Provisions in relation thereto:* And whereas by the said recited Act of the First Year of the Reign of His said late Majesty King *George* the Fourth it was enacted, that the Produce of all the Hereditary Rates, Duties, Payments, and Revenues in that Part of the United Kingdom called *England,* which during the Life of His late Majesty King *George* the Third were, by the said recited Acts of His said late Majesty King *George* the Third, or any or either of the said Acts, at first carried to and made Part of the Aggregate Fund, and which, after the said recited Act of the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, were carried to and made Part of the Consolidated Fund of *Great Britain,* and all the said Hereditary Revenues in that Part of the United Kingdom called *Ireland* which by the said recited Act of the Parliament of *Ireland* of the Thirty-third Year of the Reign of His late Majesty King *George* the Third were carried to and made Part of the Consolidated Fund of *Ireland,* and which Hereditary Rates, Duties, Payments, and Revenues in *England* and *Ireland* respectively at the Time of the Decease of His late Majesty King *George* the Third made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* and all Arrears thereof which had accrued since the Decease of His late Majesty King *George* the Third, which had not been applied and distributed in the Payment of any Charges thereupon respectively, should, during the Life of His said late Majesty King *George* the Fourth, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* and from and after the Decease of His said late Majesty King *George* the Fourth should be payable and paid to the King's Majesty, His Heirs and Successors: And whereas the Hereditary Rates, Duties, and Payments aforesaid, and also the Hereditary Rates, Duties, and Payments payable in *Scotland,* except so far as is provided by the said recited Act of the last Session of Parliament with respect to certain Hereditary

33 G. 3. (I.)
56 G. 3. c. 46.
59 G. 3. c. 22.
1 G. 4. c. 1.
1 & 2 G. 4. c. 31.
1 W. 4. c. 51.

Duties of Excise on Beer, Ale, and Cider payable in *Great Britain*, together with the Sums of Three hundred and forty-eight thousand Pounds and Six thousand five hundred Pounds *per Annum* granted for Your Majesty's Life, (whom God long preserve,) in lieu of those Hereditary Duties on Beer, Ale, and Cider, now belong and are due and payable to Your most Excellent Majesty: And whereas Your Majesty has been graciously pleased to signify to Your faithful Commons in Parliament assembled, that Your Majesty placed without Reserve at their Disposal Your Majesty's Interest in the Hereditary Revenues, and in those Funds which may be derived from any Droits of the Crown or Admiralty, from the *West India* Duties, or from any casual Revenues either in Your Majesty's Foreign Possessions or in the United Kingdom; and that in surrendering Your Majesty's Interest in Revenues which had in former Settlements of the Civil List been reserved to the Crown, Your Majesty rejoiced in the Opportunity of evincing Your Majesty's entire Reliance on their dutiful Attachment, and Your Majesty's Confidence that they would cheerfully provide all that might be necessary for the Support of the Civil Government, and the Honour and Dignity of Your Majesty's Crown: Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, with Hearts full of the warmest Duty and Gratitude, are desirous that Provision should be made for the Support of the Civil Government by Charges upon the Consolidated Fund, and otherwise by other Acts to be passed in the present Session of Parliament, and that a certain and competent Revenue for defraying the Expences of Your Majesty's Household, and supporting the Honour and Dignity of the Crown of the United Kingdom during Your Majesty's Life (which God long preserve), may be settled upon Your Majesty, as a Testimony of our unfeigned Affection to Your sacred Person, by whose happy Succession to the Throne Your Majesty's Subjects have the strongest Assurance that the Religion, Laws, and Liberties of this Realm will be continued, and that Your Majesty's said Subjects, and their Posterity, may, through the Divine Goodness, enjoy every Blessing under Your Majesty's auspicious Reign, have therefore freely resolved to grant unto You, our most Gracious Sovereign Lord King *William* the Fourth, a certain Revenue payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and that the Produce of the Hereditary Revenues aforesaid (other than the said Hereditary Duties of Excise on Beer, Ale, and Cider), and also that the said yearly Sums of Three hundred and forty-eight thousand Pounds, and Six thousand five hundred Pounds, payable to Your Majesty in lieu of the said last-mentioned Duties, under and by virtue of the said recited Act of the last Session of Parliament, shall be made Part of the said Consolidated Fund during Your Majesty's Life; and we do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Powers, Authorities, Provisions, Regulations, and Clauses contained in the said recited Acts, or any or either of them, or in any other Act or Acts of the Parliaments of *Great Britain* or *Ireland*, or of the United Kingdom

Powers of Acts as to the Hereditary Revenues to remain in force.

Kingdom of *Great Britain* and *Ireland*, in force at the Time of the Decease of His said late Majesty King *George* the Fourth, or at the Time of the passing of this Act, as to the said Hereditary Rates, Duties, Payments, and Revenues, in any and every Part of the United Kingdom of *Great Britain* and *Ireland*, and the levying and collecting, the Payment, or keeping separate Accounts thereof, or computing the Amount of any such Rates, Duties, Payments, or Revenues respectively, shall be and the same are hereby declared and enacted to be in full Force and Effect, and shall be used and applied to all the Hereditary Rates, Duties, Payments, and Revenues by this Act carried to the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and for the levying, collecting, paying, or keeping separate Accounts of or computing the Amount of all or any such Rates, Duties, Payments, and Revenues, as fully and effectually, to all Intents and Purposes, as if the said Powers, Authorities, Provisions, Regulations, and Clauses were severally and separately re-enacted in the Body of and made Part of this Act.

Certain Hereditary Revenues, and Arrears thereof, from Demise of His late Majesty, to be carried to the Consolidated Fund, during the Life of His present Majesty, and after His Demise all the Hereditary Revenues to be payable to His Heirs and Successors.

II. And be it further enacted, That the Produce of all the said Hereditary Rates, Duties, Payments, and Revenues in *England* and *Ireland* respectively (other than the Hereditary Duties of Excise on Beer, Ale, and Cider payable in *England*,) which at the Time of the Decease of His said late Majesty King *George* the Fourth made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and also the Produce of the several and respective Hereditary Duties and Revenues (other than and except the Hereditary Duties of Excise on Beer, Ale, and Cider,) which were payable to His said late Majesty King *George* the Fourth in that Part of *Great Britain* called *Scotland*, and also the said yearly Sums of Three hundred and forty-eight thousand Pounds and Six thousand five hundred Pounds payable to His present Majesty out of the Revenue of Excise arising in *England* and *Scotland* respectively, under and by virtue of the said recited Act of the last Session of Parliament, and also the small Branches of the Hereditary Revenue, and the Produce of the Hereditary casual Revenues arising from any Droits of Admiralty or Droits of the Crown, or from the Duties called the Four and a Half *per Centum* Duties or *West Indian* Duties, and from all surplus Revenues of *Gibraltar* or any other Possession of His Majesty out of the United Kingdom, and from all other casual Revenues arising either in the Foreign Possessions of His Majesty or in the United Kingdom, which have accrued since the Decease of His said late Majesty, and which shall not have been applied and distributed in the Payment of any Charge thereupon respectively, or which shall accrue during the Life of His present Majesty (whom God long preserve), shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and from and after the Decease of His present Majesty (whom God long preserve) all the said Hereditary Revenues, including the Duties on Beer, Ale, and Cider, shall be payable and paid to His Heirs and Successors.

The clear yearly Sum of 510,000*l.*

III. And be it further enacted, That for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown, there

there shall be granted to His Majesty during his Life a net yearly Revenue of Five hundred and ten thousand Pounds, and that the said Revenue shall be charged on and made payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and shall commence from and immediately after the Decease of His said late Majesty King *George* the Fourth, and be paid to His present Majesty during his Life (which God long preserve), with Preference to all other Payments which have heretofore been or which shall or may hereafter be charged upon the same, to be paid quarterly, (that is to say,) on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December*, in each Year, by even and equal Portions, out of the Monies of the said Consolidated Fund, the first Charge for the same to be made in the Consolidated Fund on the Quarter Day next immediately after the passing of this Act, and to include the Proportion of the said Revenue which has accrued and become due to His Majesty in the Period between the Day of the Death of His late Majesty and the said Quarter Day; but it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, after the passing of this Act, and previously to the making up of the Consolidated Fund for the Quarter then next ensuing, to direct and cause to be issued and paid at the Receipt of His Majesty's Exchequer, out of the growing Produce of the said Consolidated Fund, such Issues and Payments for Arrears or Charges of the Civil List granted by this Act as may have become due and payable since the Day of the Death of His late Majesty, in part of the Amount to be charged for the same on the Account of the Consolidated Fund for the ensuing Quarter; and the said Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, shall and they are hereby authorized and required, on and during every succeeding Quarter, to cause the said yearly Revenue to be issued and applied from Time to Time, daily, weekly, or otherwise, as soon as the same can be satisfied, for the Uses and Purposes by this Act appointed, out of the Monies arisen or to arise as aforesaid, so as by the said daily, weekly, or other Payments One Fourth Part of such yearly Revenue or Sum of Money be not exceeded in, for, or in respect of each Quarter, and so that upon every of the said quarterly Days the whole Amount then due thereupon be computed, made up, or satisfied, according to the true Intent and Meaning of this Act.

to be paid out of the Consolidated Fund for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown.

IV. And whereas the Sum of Two hundred thousand Pounds was granted in the last Session of Parliament, and also the further Sum of One hundred thousand Pounds has been granted by the Commons House of Parliament in the present Session, to enable His Majesty to satisfy such annual Pensions or other Payments as would have been payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the Civil List, in case the Decease of His late Majesty had not taken place before the First Day of *January* One thousand eight hundred and thirty-one: And whereas the Hereditary Revenues of His Majesty arisen and paid into the Exchequer since the Time of His late Majesty's Decease have, in pursuance of the said recited Acts of the Twenty-seventh

So much of the Sums of 200,000*l.* and 100,000*l.* granted to make Civil List Payments as shall have been so applied shall be repaid out of the Money granted for the Civil List.

Year of the Reign of His late Majesty King *George* the Third and the First Year of the Reign of His late Majesty King *George* the Fourth, been set apart at the Exchequer for the Use of His Majesty, and a Part of the said Sums has been issued and applied in satisfying Payments to which the Civil List Revenues are properly applicable; be it therefore enacted, That out of the first Monies which shall be issued and paid out of the Consolidated Fund, in respect of the Civil List Revenue granted to His Majesty by this Act, there shall be repaid to or retained in the Exchequer, towards completing the Aids granted or to be granted by Parliament for the Service of the Year One thousand eight hundred and thirty-one, a Sum equal to so much of the said Sums of Two hundred thousand Pounds and One hundred thousand Pounds as shall have been or shall be advanced and applied in satisfying such Annuities, Pensions, or other Payments for which Provision shall be made in the Civil List under this Act, and which after the passing of this Act become properly charged or chargeable upon the Civil List Revenues; and there shall be repaid to the Consolidated Fund a Sum equal to so much of the Hereditary Revenues set apart at the Exchequer on the Fifth Day of *July* and Tenth Day of *October* in the Year One thousand eight hundred and thirty, and Fifth Day of *January* and Fifth Day of *April* One thousand eight hundred and thirty-one, as may have been or may be issued or applied out of those Revenues for satisfying such Annuities, Pensions, or other Payments for which Provision shall be made in the Civil List under this Act, or which will after the passing of this Act become properly charged or chargeable upon the Civil List Revenue; and the Remainder of the said Hereditary Revenues which may not have been issued or paid in satisfaction of any such Charges, or of any other Charges thereon, shall go and be carried to the said Consolidated Fund immediately after the passing of this Act.

Provisions of all former Civil List Acts to remain in force for the Purposes of this Act except as hereby altered.

V. And whereas Doubts may be entertained whether the Provisions of the Acts relating to the Civil List Revenues have expired with the Civil List Revenue of His late Majesty King *George* the Fourth, by the Decease of His late Majesty; be it therefore further enacted and declared, That all the Provisions, Regulations, Restrictions, Clauses, Matters, and Things contained in the said recited Acts, or any or either of them, which were applicable and in force as to the Civil List Revenue at the Time of the Decease of His said late Majesty, shall, so far as the same are not altered, varied, or repealed by this Act, be and remain and continue, and are hereby declared to be, in full Force and Effect as to the Civil List Revenue granted by this Act, and shall be used and applied, so far as the same are applicable, in relation to the issuing, paying, receiving, Distribution, Care, Management, Regulation, and accounting for the Civil List Revenue granted by this Act, as fully and effectually to all Intents and Purposes as if the same were severally, separately, and respectively repeated and re-enacted in the Body of this Act, and made Part thereof.

Mode of appropriating the Monies issued.

VI. And whereas by the said recited Act of the Twenty-second Year of the Reign of His late Majesty King *George* the Third it was enacted, that the Commissioners of the Treasury shall draw out a

Plan for the Establishments and Payments of the Civil List Revenues in Classes, according to the Order mentioned in the said Act, and that all Sums of Money which should become due and payable out of the said Civil List Revenues for any of the Purposes mentioned in the said Act should be paid in the Order and according to the Plan therein mentioned, and it is expedient to alter the said Classes so as to confine the same to the Expences of His Majesty's Household and the Honour and Dignity of the Crown, and to specify the Amount to be appropriated to each Class, and for this Purpose an Estimate has been laid before Parliament of the future Amount of Charges on the several Classes so altered, which Amount for each Class respectively is specified in the Schedule to this Act; be it therefore further enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of the Treasury for the Time being, or any Three or more of them, and they are hereby required, at the Commencement of every Quarter, or within a Period not exceeding Thirty Days from the Commencement of each Quarter, by Warrant under their Hands, to direct what Sums shall respectively be set apart and appropriated in the Receipt of His Majesty's Exchequer, out of the quarterly Revenues of the Civil List, for the Purpose of defraying the several Charges upon the respective Classes thereof, but so as that the Sum to be appropriated to any one Class do not exceed One Fourth Part of the estimated annual Amount of that Class, as specified in the Schedule to this Act, together with any Saving which may have accrued upon the said Class in the preceding Quarter; and the several and respective Sums in the said Warrant directed to be set apart and appropriated shall be so set apart by the Auditor of the Receipt of His Majesty's Exchequer, and be appropriated to the respective Classes accordingly; and each and every Sum so set apart and appropriated shall in the first place be applied in Payment of all the unsatisfied Charges of every Description of the Class in respect of which such Appropriation shall have been made, in preference to any other Charges whatever upon His Majesty's Civil List Revenues; and no Part thereof shall on any account whatever be applied, until after the Termination of the Year, for any other Purpose or in aid of any other of the Classes of the Civil List, or of any other of the Charges thereon; any thing contained in the said recited Act of the Twenty-second Year of His late Majesty King *George* the Third, or any other Act or Acts, to the contrary notwithstanding.

Treasury may direct Savings in any Class to be applied at the End of the Year in aid of other Classes.

VII. Provided always, and be it further enacted, That if any Saving or Surplus shall arise in any Quarter in respect of any Money appropriated for defraying the Charges of any particular Class, so as that the Sum appropriated thereto shall be more than sufficient for the full and complete Payment of the Charges thereon, such quarterly Saving or Surplus shall in every such Case be carried forward in the Exchequer to the Account and Credit and be applied for the Purposes of the Class in which it shall have arisen until the Thirty-first Day of *December* in every Year; and in case and whenever any such Saving or Surplus remaining at the End of the Year shall have arisen in any of the Classes of the Civil List, then it shall be lawful for the Lord High Treasurer or Commissioners of the Treasury for the Time being, or any Three or more of them, to direct the same to be applied in

in aid of the Charges or Expences of any other Class (except the Fifth Class), or of any Charge or Charges upon His Majesty's Civil List Revenues, in such Manner as may under the Circumstances appear to be most expedient: Provided always, that the Charge upon the Fifth Class shall in no Case exceed the Sum set apart and limited for that Class in the Schedule to this Act annexed.

Certain Allowances and Payments not hereafter to be charged upon the Civil List.

VIII. Provided always, and be it further enacted, That none of the Allowances or Salaries specified in the Second, Third, Seventh, and Eighth Classes contained in the Schedule to the said recited Act of the First Year of the Reign of His late Majesty King *George* the Fourth, nor any Payments other than such as are specified in the Schedule to this Act annexed, shall hereafter be chargeable or charged upon His Majesty's Civil List Revenues, or upon any of the Funds granted by this Act.

Annuities payable to His present Majesty for Life under certain Acts shall cease.

IX. And whereas under and by virtue of an Act of the Eighteenth Year of the Reign of His late Majesty King *George* the Third, for enabling His said late Majesty to settle Annuities on several Members of His Royal Family, and of an Act of the First Year of the Reign of His said late Majesty King *George* the Fourth, for enabling His said Majesty to settle Annuities upon certain Branches of the Royal Family, an Annuity of Fifteen thousand Pounds had become payable to His present Majesty (being Prince *William Henry*, afterwards Duke of *Clarence*,) for the Term of his natural Life; and under and by virtue of an Act of the Forty-sixth Year of the Reign of His said late Majesty King *George* the Third, for enabling His Majesty to settle Annuities on several Branches of the Royal Family (as amended by an Act of the Forty-seventh Year of the Reign of His said late Majesty), one other Annuity of Six thousand Pounds was made payable to His present Majesty (then Duke of *Clarence*) for the Term of His natural Life; and under and by virtue of the said Act made in the First Year of the Reign of His said late Majesty King *George* the Fourth, one other Annuity of Two thousand five hundred Pounds was made payable to His present Majesty (then Duke of *Clarence*) for the Term of His natural Life: And whereas His present Majesty has been graciously pleased to declare His Royal Pleasure that the said several Annuities of Fifteen thousand Pounds, Six thousand Pounds, and Two thousand five hundred Pounds should cease and determine; be it therefore enacted, That the said several Annuities shall cease and determine, and the said Annuities shall be no longer charged or chargeable on or paid or payable on or out of the Consolidated Fund, or on or out of any other Fund whatever; any thing in the said recited Acts or any of them to the contrary notwithstanding: Provided always, that if any Payment on account thereof shall have been made for any Period since the Day of the Decease of His said late Majesty King *George* the Fourth, the Amount thereof shall be repaid to the Consolidated Fund out of the Money to be set apart in the Exchequer for the First Class of the Civil List under the Authority of this Act.

Proviso as to anyPayments made since the Decease of King George IV.

Annuity payable to Her present Ma-

X. And whereas under and by virtue of an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth,

Fourth, intituled *An Act to enable His Majesty to make further Provision for Their Royal Highnesses the Duke and Duchess of* Clarence, an Annuity of Six thousand Pounds was made payable to Her present Majesty the Queen (then Duchess of *Clarence*) for the Term of Her natural Life, charged upon the Consolidated Fund of the United Kingdom: And whereas His present Majesty, and Her Majesty the Queen, have been graciously pleased to declare Their Royal Pleasure that the said Annuity of Six thousand Pounds should cease and determine; be it therefore enacted, That the said Annuity of Six thousand Pounds shall cease and determine, and the said Annuity shall be no longer charged or chargeable on or paid or payable out of the said Consolidated Fund, or on or out of any other Fund whatever; any thing in the said recited Act to the contrary in anywise notwithstanding: Provided always, that if any Payment on account thereof shall have been made for any Period since the Day of the Decease of His said late Majesty King *George* the Fourth, the Amount thereof shall be repaid to the Consolidated Fund out of the Monies to be set apart in the Exchequer for the First Class of the Civil List under the Authority of this Act.

jesty for Life, under Act 7 & 8 G. 4. c. 10. to cease

XI. And whereas certain Annuities of Fifteen thousand Pounds each to Their Royal Highnesses the Duke of *Cumberland*, the Duke of *Sussex*, and the Duke of *Cambridge*, were, during the Life of His late Majesty King *George* the Fourth, payable out of the Consolidated Fund to Their said Royal Highnesses, being Part of Annuities to the Amount of Sixty thousand Pounds charged upon the Hereditary Revenues by the said Act made in the Eighteenth Year of His said late Majesty King *George* the Third, for enabling His said Majesty to settle several Annuities on several Members of His Royal Family, and which by the said Act made in the First Year of His said late Majesty King *George* the Fourth, enabling His said Majesty to settle Annuities upon certain Branches of the Royal Family, were made payable out of the Consolidated Fund of the United Kingdom during the Life of His said late Majesty King *George* the Fourth; and by the Decease of His said late Majesty King *George* the Fourth the said Annuities have become payable out of the Hereditary Revenue, and it is expedient to transfer the same again to the Consolidated Fund; be it therefore enacted, That the said several Annuities of Fifteen thousand Pounds each to Their said Royal Highnesses the Dukes of *Cumberland*, *Sussex*, and *Cambridge*, shall be and the same are hereby transferred to and shall be charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, from the Fifth Day of *April* One thousand eight hundred and thirty-one, during the Lives of Their Royal Highnesses.

Annuities to the Royal Dukes under 18 G. 3. c. 31., charged on the Consolidated Fund by 1 G. 4. c. 108., re-charged on the Consolidated Fund during Their Royal Highnesses Lives.

XII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend in anywise to impair, affect, or prejudice any Rights or Powers of Control, Management, or Direction which have been or may be exercised by Authority of the Crown, or other lawful Warrant, relative to any Leases, Grants, or Assurances of any of the said small Branches of His Majesty's Hereditary Revenues, or to any Suits or Proceedings for Recovery of the same, or to Compositions made or to be made on account of any of the

This Act not to affect certain Powers relating to the small Branches of Hereditary Revenue.

the small Branches, or to any Remission, Mitigation, or Pardon of any Penalties or Forfeitures incurred or to be incurred, or to Fines taken or to be taken, and to Rents, Boons, and Services reserved or to be reserved upon such Grants, Leases, and Assurances, or to the Mitigation or Remission of the same, or to any other lawful Act, Matter, or Thing which has been or may be done touching the said Branches, or to the granting of any Droits of Admiralty or any Droits of the Crown, or any Part or Proportion of any such Droits respectively, as a Reward or Remuneration to any Officer or Officers or other Person or Persons seizing or taking the same, or giving any Information relating thereto, or to the granting, disposing of, or leaving any Freehold or Copyhold Property, or the Produce or any Part of the Produce or Amount or Value of any Freehold or Copyhold to which His Majesty or any of His Royal Predecessors have or hath or shall become entitled, either by Escheat for Want of Heirs, or by reason of any Forfeiture, or by reason that the same have been or shall be purchased by or for the Use of or in Trust for any Alien or Aliens in the Manner authorized by any Act or Acts of Parliament touching or concerning the granting, disposing, or leasing of the same, or to the granting or distributing of any Personal Property devolved to the Crown by reason of the Want of Next of Kin or personal Representative of any deceased Person, but that the same Rights and Powers shall continue to be used, exercised, and enjoyed in as full, free, ample, and effectual a Manner, to all Intents and Purposes, as if this Act had not been made, and as the same have been or might have been enjoyed by His said late Majesty King *George* the Fourth at the Time of His Decease; subject nevertheless to all such Restrictions and Regulations as were in force by virtue of any Act or Acts of Parliament in relation thereto at the Time of the Decease of His said late Majesty; it being the true Intent and Meaning of this Act that the said Rights and Powers shall not in any Degree be abridged, restrained, affected, or prejudiced in any Manner whatsoever, but only that the Monies accruing to the Crown, after the full and free Exercise and Enjoyment of the said Rights and Powers, subject as aforesaid, shall during His Majesty's Life be carried to and made Part of the Consolidated Fund of the United Kingdom: Saving always to all and every Person and Persons, Bodies Politic and Corporate, their Heirs and Successors, Executors, Administrators, and Assigns, all such Grants, Gifts of Mortification, Rights, Titles, Estates, Customs, Interests, Claims, and Demands whatsoever, of, in, to, or out of the Revenues, Hereditaments, and others, belonging to His late Majesty King *George* Fourth, in *Scotland*, as they or any of them had or ought to have had at the making of this Act, as fully and effectually to all Intents and Purposes as if this Act had never been made; any thing herein contained to the contrary notwithstanding.

In case of Exceedings, Particulars to be laid before Parliament.

XIII. And be it further enacted, That whenever the Total Charge upon the Civil List from the Thirty-first Day of *December* in any one Year to the Thirty-first Day of *December* in the succeeding Year, in *Great Britain* and *Ireland*, shall amount to more than the Sum of Five hundred and thirty thousand Pounds, an Account, stating the Particulars of such Exceedings, and the Cause thereof, shall be sub-

mitted to Parliament within Thirty Days after the same shall have been ascertained, if Parliament shall be then sitting, but if Parliament shall not be then sitting, then the said Account shall be presented within Thirty Days after the next Meeting of Parliament.

Payments of Civil List to be free of Land Tax, &c.

XIV. And be it further enacted, That all Payments out of the Civil List shall be paid net and clear of all Taxes or Charges for or in respect of any Land Tax, or of the Duties of One Shilling and Sixpence respectively, and clear of all Fees and other Deductions heretofore charged upon and deducted from such Payments.

Providing for Issue to Marquis Camden under 59 G. 3. c. 43.

XV. And whereas it is expedient to make further Provision for carrying into Effect an Act made in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Receipt and Appropriation of certain Sums voluntarily contributed by the Most Noble* John Jeffreys *Marquis* Camden *in aid of the Public Service;* be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three of them, to direct the Payment to the said Marquis *Camden,* out of the Consolidated Fund, of such Amount or Sum of Money, quarterly and every Quarter, as shall be equal to the Amount of Fees due to the said Marquis *Camden* on the quarterly Issues made on account of the Civil List.

Act may be altered this Session.

XVI. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in this present Session of Parliament.

SCHEDULE.

		£	s.	d.
First Class.	For Their Majesty's Privy Purse -	110,000	0	0
Second Class.	Salaries of His Majesty's Household -	130,300	0	0
Third Class.	Expences of His Majesty's Household	171,500	0	0
Fourth Class.	Special and Secret Service - -	23,200	0	0
Fifth Class.	Pensions - - - -	75,000	0	0
	£	510,000	0	0

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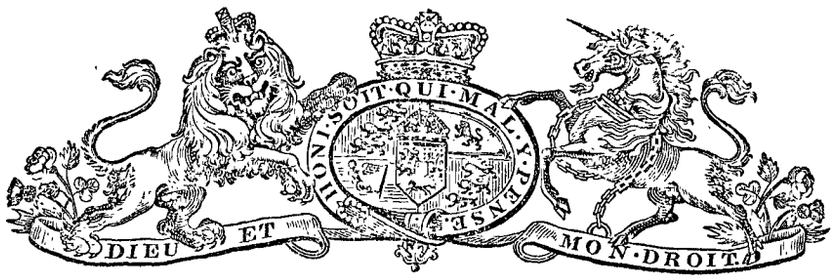

ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXVI.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two; to permit such Persons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-two; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates. [22d *April* 1831.]

WHEREAS divers Persons, who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or Assurance respectively appointed to be by such Persons taken and subscribed in and by an Act made in the First Year of the Reign of His late Majesty King *George* the First

1 G. 1. st. 2. c. 13. of glorious Memory, intituled *An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors;* or to have qualified themselves according to an Act made in the Thirteenth Year of the Reign 13 C. 2. st. 2. c. 1. of King *Charles* the Second, intituled *An Act for the well-governing and regulating of Corporations;* or to have qualified themselves according to another Act made in the Twenty-fifth Year of the 25 C. 2. st. 2. c. 2. Reign of King *Charles* the Second, intituled *An Act for preventing the Dangers which may happen from Popish Recusants;* or according to another Act made in the Thirtieth Year of the Reign of King 30 C. 2. st. 2. *Charles* the Second, intituled *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament;* or according to another Act made in the Eighth Year of the Reign of His late Majesty 8 G. 1. c. 6. King *George* the First, intituled *An Act for granting the People called* Quakers *such Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under;* or according to another Act made in the Ninth Year of the Reign of His late 9 G. 2. c. 26. Majesty King *George* the Second, intituled *An Act for indemnifying Persons who have omitted to qualify themselves for Offices within the Time limited by Law, and for allowing further Time for that Purpose; and for amending so much of an Act passed in the Second Year of the Reign of His present Majesty, as requires Persons to qualify themselves for Offices before the End of the next Term or Quarter Sessions; and also for enlarging the Time limited by Law for making and subscribing the Declaration against Transubstantiation; and for allowing a further Time for Enrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees;* or according to another Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, intituled 18 G. 2. c. 20. *An Act to amend and render more effectual an Act passed in the Fifth Year of His present Majesty's Reign, intituled 'An Act for the further 'Qualification of Justices of the Peace;'* or according to another Act made in the Sixth Year of the Reign of His late Majesty King *George* 6 G. 3. c. 53. the Third, intituled *An Act for altering the Oath of Abjuration, and the Assurance; and for amending so much of an Act made in the Seventh Year of the Reign of Her late Majesty Queen* Anne, *intituled 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason;* or according to another Act passed in the Ninth Year of the Reign of His late Majesty King *George* the 9 G. 4. c. 17. Fourth, intituled *An Act for repealing so much of several Acts as imposes the Necessity of receiving the Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments;* or according to another Act passed in the Tenth Year of the Reign of His said 10 G. 4. c. 7. late Majesty, intituled *An Act for the Relief of His Majesty's Roman Catholic Subjects,* so far only as the said Act relates to any Civil or Military Offices or Places of Trust, or Places of Profit or Corporate Offices; have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to take and subscribe

the Oaths and Assurance and make and subscribe the Declaration required by the said recited Acts or either of them, or otherwise to qualify themselves as aforesaid, within such Time and in such Manner as in and by the said Acts respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting the Minds of His Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves, within such Time and in such Manner as in and by the said Acts, or any of them, is required; and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing on account of which such Qualification ought to have been had and is required, before the passing of this Act hath or have taken and subscribed the said Oaths, or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the said Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves according to the above-mentioned Acts and every of them; and that all Elections of, and Acts done or to be done by any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and that the Qualification of such Person or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively,

Persons who have omitted to qualify themselves as required by the recited Acts indemnified and allowed further Time.

respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oaths, &c. required by the Irish Act of 2 Anne.

II. And whereas several Persons well affected to His Majesty's Government, and to the United Church of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Declaration according to the Directions of an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act to prevent the further Growth of Popery*; be it therefore further enacted, That all Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and that no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but that all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned; any thing in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form, and in such Place or Places respectively, as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two.

Not to indemnify Persons against whom final Judgment is given.

III. Provided always, and be it further enacted, That this Act, or any thing herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Not to exempt Justices acting without legal Qualification.

IV. Provided always, and be it further enacted, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force.

Admissions to Corporations may be stamped after Time allowed by Law.

V. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided or the same not stamped, or may have been lost or mislaid; be it further enacted, That for the Relief of such Persons whose Appointments

and

and Admissions, or the Entries of whose Admissions as aforesaid, may have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions as aforesaid, duly stamped; or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid, have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid, to the Commissioners appointed to inspect and manage the Revenues of the Stamp Duties, to be duly stamped; which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of Double the Amount of the Duties first payable, or to have been paid on such Appointments, Admissions, or Entries of Admissions as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties, the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on Stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning Stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, or other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes; and shall and may hold and enjoy and execute such Offices, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors, in such Cities, Corporations, or Borough Towns as aforesaid; and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Indemnity to Persons who have paid the Duties on Indentures to serve as Clerks to Attornies, &c. but have neglected to cause Affidavits thereof to be made.

VI. And whereas many Persons who may have paid the proper Stamp Duties, either before or within Six Months after the Execution of the Contracts in Writing entered into by them to serve as Clerks to Attornies or Solicitors, Scriveners, or Notaries Public in *Great Britain*, have omitted to cause Affidavits to be made, and afterwards to be filed in the proper Office, of the actual Execution of such Contracts, and have also omitted to cause such Contracts and the Indentures thereof to be enrolled within the Time in which the same ought to have been done; and many Solicitors, Attornies, Notaries Public, and others, have omitted to take out Annual Certificates, or to enter the same in the proper Office, and many Infants and others may thereby incur certain Disabilities: For preventing thereof, and relieving such Persons, be it enacted, That every

Person who shall, either before or within Six Months after the Execution of such Contract or Indenture, have paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be enrolled, and who, on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-two, shall cause such Contract or Indenture to be enrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities in or by any Act or Acts of Parliament mentioned, and incurred or to be incurred for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-two, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and that the respective Officer or Officers who ought to receive, file, enter, or register such Contract or Indenture, or Affidavit or Affidavits, shall not refuse to receive, file, enter, or register the same, by reason that the Attorney, Solicitor, or Notary Public, to whom such Infant or other Person shall have been articled or have contracted to serve, shall have neglected to take out his Annual Certificate, or to register the same, but such Officer or Officers are hereby directed and empowered to receive, file, enter, or register the same, notwithstanding such Omission; and that every Person who shall have regularly served any Attorney or Attornies, Solicitor or Solicitors, Notary Public or Notaries Public, for the Term of Years required by Law, shall not be prevented or disqualified from being admitted an Attorney, Solicitor, or Notary Public, by reason of any Omission of the Person or Persons to whom he served for the same Term, or for any Part thereof, having so neglected to take out his Annual Certificate, or to register the same; provided that such Person is otherwise entitled to be created and admitted to such Office by the Laws now in force relating thereto.

Neglect of Attornies, &c. in taking out their Annual Certificates not to disqualify the Persons who have served them.

VII. Provided always, and be it enacted, That this Act or any thing herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of His Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person; but that such Office or Employment, Benefice, Matter, or Thing so avoided, or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been made.

Not to restore Persons to any Office avoided by Judgment.

VIII. And be it further enacted, That in case any Action, Suit, Bill of Indictment, or Information shall from and after the passing of this Act be brought, carried on, or prosecuted against any Person

General Issue.

or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever, incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

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ANNO PRIMO

GULIELMI IV. REGIS.

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CAP. XXVII.

An Act for enabling His Majesty's Postmaster General to sell the Premises lately used as the Post Office in *Lombard Street*, *Abchurch Lane*, and *Sherborne Lane*, in the City of *London*.

[22d *April* 1831.]

WHEREAS by an Indenture of Lease bearing Date the Tenth Day of *July* One thousand seven hundred and sixty-five, and made between *Anthony Todd* Esquire of the one Part, and the Right Honorable *Robert Hampden* Lord *Trevor* and the Right Honorable *Thomas* Lord *Hyde* (His Majesty's then Postmaster General) of the other Part, a Piece of Ground situate on the West Side of *Abchurch Lane* in the Parish of *Saint Mary Abchurch* and *Saint Mary Woolnoth, London*, or One of them, and Six Houses then standing thereon, and then lately purchased by the said *Anthony Todd*, were demised by the said *Anthony Todd* to the said *Robert Hampden* Lord *Trevor* and *Thomas* Lord *Hyde*, or the Postmaster General for the Time being, in Trust for His Majesty, His Heirs and Successors, from the Fifth Day of *January* then next, for the Term of Ninety-nine Years, to be occupied for the Business of the Bye and Cross Road Letter Office, or such other Purposes as His Majesty's Postmaster General for the Time being should think proper, at the yearly Rent of One hundred and twenty Pounds; and the said Indenture of Lease contained a Covenant on

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the Part of the said *Anthony Todd*, that he the said *Anthony Todd*, his Heirs and Assigns, should and would at any Time during the Term thereby demised, on Six Months Notice in Writing, signed by the said *Robert Hampden* Lord *Trevor* and *Thomas* Lord *Hyde*, as Postmaster General as aforesaid, or by the Postmaster General for the Time being, and delivered to the said *Anthony Todd*, his Heirs or Assigns, make and execute unto them the said *Robert Hampden* Lord *Trevor* and *Thomas* Lord *Hyde*, as Postmaster General as aforesaid, or to the Postmaster General for the Time being, at their Expence, for the Use of His said Majesty, His Heirs and Successors, a further Lease of the said Premises for the Term of Ninety-nine Years, to commence from the Expiration of the Term thereby demised, at the same Rent, and under the same Provisoes, Conditions, and Agreements, as were contained in the Indenture now in recital, (except as to the Covenant for making and executing the said further Lease, and a Proviso for erecting a House and Offices on the said Premises, in case the same should have been built,) and on having a Counterpart of such Lease executed and delivered by the said *Robert Hampden* Lord *Trevor* and *Thomas* Lord *Hyde*, as Postmaster General as aforesaid, or by the then Postmaster General, to the said *Anthony Todd*, his Heirs and Assigns: And whereas by Indentures of Lease and Release bearing Date respectively the Fourth and Fifth Days of *October* One thousand seven hundred and eighty-five, the Release being made between *John Baker* Esquire of the First Part, *Ann Rutter* Widow and *Ann Rutter* Spinster of the Second Part, and the Right Honorable *Charles* Earl of *Tankerville* and the Right Honorable *Henry Frederick* Lord *Carteret* (His Majesty's then Postmaster General) of the Third Part, and by an Indenture of Bargain and Sale bearing even Date with the same Indenture of Release, and made between the same Parties, Three Tofts, Pieces, or Parcels of Ground situate on the West Side of *Abchurch Lane* aforesaid, in the Parish of *Saint Mary Abchurch*, whereon Three Messuages then lately stood, and which were then lately burnt down, were conveyed and assured to the Use of the said *Charles* Earl of *Tankerville* and *Henry Frederick* Lord *Carteret*, their Heirs and Assigns for ever: And whereas the said last-mentioned Hereditaments were so conveyed to the said *Charles* Earl of *Tankerville* and *Henry Frederick* Lord *Carteret*, their Heirs and Assigns, as aforesaid, as Trustees for His Majesty, His Heirs and Successors: And whereas by Indentures of Lease and Release bearing Date respectively the Twenty-sixth and Twenty-seventh Days of *April* One thousand seven hundred and eighty-seven, and made between *Robert Vyner* Esquire of the one Part, and the said *Henry Frederick* Lord *Carteret* (His Majesty's then Postmaster General) of the other Part, and by an Indenture of Bargain and Sale bearing even Date with the last-mentioned Indenture of Release, and made between the same Parties, Two Messuages or Tenements situate on the East Side of *Sherborne Lane* in the Parish of *Saint Mary Woolnoth* aforesaid, with the Ground and Soil thereof, and all the Houses, Outhouses, Stable Yards, and Coach-houses to the same belonging, as the same were more fully described in a Map thereof annexed to the last-mentioned Indenture of Release, and which had for some Time then past been used and occupied as Part of His Majesty's General Post

Office, were conveyed and assured to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns for ever; and by a Deed Poll, under the Hand and Seal of the said *Henry Frederick* Lord *Carteret*, bearing Date on or about the Second Day of *May* One thousand seven hundred and eighty-seven, the said *Henry Frederick* Lord *Carteret* declared that he was a Trustee of the last-mentioned Premises for His Majesty, His Heirs and Successors: And whereas by Indentures of Lease and Release bearing Date respectively the Third and Fourth Days of *May* One thousand seven hundred and eighty-seven, the Release being made between *Peter Richardson* Watch Spring Maker, and *Elizabeth* his Wife, of the First Part, *John Jennings* Farmer, of the Second Part, and the said *Henry Frederick* Lord *Carteret* (His Majesty's then Postmaster General) of the Third Part, and by an Indenture of Bargain and Sale bearing even Date with the last-mentioned Indenture of Release, and made between the same Parties, and by a Fine levied in the Court of Common Pleas at *Westminster* in *Trinity* Term in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, a Piece of Ground situate in *Abchurch Lane* in the Parish of *Saint Mary Abchurch* aforesaid, whereon or on Part whereof a Messuage had then lately stood, but which had been then lately burnt down or demolished by Fire, was conveyed and assured by the said *Peter Richardson* and *Elizabeth* his Wife, and the said *John Jennings*, to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns for ever; and by a Deed Poll, under the Hand and Seal of the said *Henry Frederick* Lord *Carteret*, bearing Date on or about the Sixteenth Day of *May* One thousand seven hundred and eighty-seven, the said *Henry Frederick* Lord *Carteret* declared he was a Trustee of the last-mentioned Premises for His Majesty, His Heirs and Successors: And whereas by an Indenture bearing Date the Eighth Day of *May* One thousand seven hundred and eighty-seven, and made between the said *John Jennings* of the First Part, the said *Henry Frederick* Lord *Carteret* of the Second Part, and *Anthony Todd* of the General Post Office, Esquire, *Anthony Parkin* of the same Place, Esquire, *John Bradley* China-man, and *Richard Thomas* Mercer, of the Third Part; after reciting that the said *Henry Frederick* Lord *Carteret* had purchased of the said *John Jennings* an undivided Moiety of the Premises conveyed by the last-mentioned Indentures of Lease and Release and Bargain and Sale for the Sum of Two hundred and five Pounds, and that in consideration thereof the said *John Jennings* had thereby and by the said Fine so levied as aforesaid conveyed the same Moiety to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns for ever; and reciting that the Child or Children of the said *John Jennings*, or, failing such, all, some, or one of the Nephews or Nieces of *Ann Jennings* Widow, deceased, (the late Mother of the said *John Jennings*,) or some other Person or Persons (after the Decease of the said *John Jennings*), might eventually have or become entitled to the Moiety of the said Premises, or to some Estate or Interest therein, under and by virtue of the last Will and Testament of the said *Ann Jennings* deceased; and that it was upon the Treaty for the said Purchase agreed that the said Sum of Two hundred and five Pounds, so paid to the said *John Jennings*, should be by him invested

invested in Bank Three *per Cent.* Consolidated Annuities, in the Names of the said *Anthony Todd*, *Anthony Parkin*, *Joseph Bradley*, and *Richard Thomas*, upon the Trusts therein-after mentioned; and that accordingly the said *John Jennings* had invested the said Sum of Two hundred and five Pounds in the Purchase of the Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three *per Cent.* Consolidated Annuities, which had been transferred into and then stood vested in the joint Names of the said *Anthony Todd*, *Anthony Parkin*, *Joseph Bradley*, and *Richard Thomas*; it was thereby witnessed, declared, and agreed, that the said *Anthony Todd*, *Anthony Parkin*, *Joseph Bradley*, and *Richard Thomas*, and the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, should stand possessed of and interested in the said Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities, and the Interest, Dividends, and annual Produce thereof, upon Trust, in the first place, the further and better to save, defend, keep harmless and indemnified the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns, and each and every of them, and the said Moiety of the said Premises purchased by him of the said *John Jennings* as aforesaid, with the Appurtenances, of, from, and against all and all Manner of Action and Actions, Suit and Suits, Claims and Demands whatsoever to be brought, commenced, prosecuted, or made by any Child or Children of the said *John Jennings*, or, failing such, by any of the Nephews or Nieces of the said *Ann Jennings* deceased, or by any other Person or Persons claiming or to claim by, from, or under the last Will and Testament of the said *Ann Jennings* deceased; and, subject to such Indemnity, upon further Trust, that when and so soon as the said *John Jennings*, his Heirs, Executors, or Administrators, should, at his or their own Costs, cause and procure all or such of the Children of him the said *John Jennings*, or, failing such Issue, all or such of the Nephews or Nieces of the said *Ann Jennings* deceased, or such other Person or Persons, if any, as should become entitled under and by virtue of the said Will to the said Moiety of the said Premises, or to any Estate or Interest therein, to release and convey all his, her, or their several and respective Estates and Interests therein, free from Incumbrances, unto and to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs or Assigns, or as he or they should direct or appoint, then immediately thereupon, or at any Time or Times thereafter, they the said *Anthony Todd*, *Anthony Parkin*, *Joseph Bradley*, and *Richard Thomas*, and the Survivors and Survivor of them, and the Executors or Administrators of such Survivor, should stand possessed of and interested in the said Capital or Principal Sum of Two hundred and sixty-four Pounds Five Shillings, and all Dividends thereof, for the Benefit of such Person or Persons as under and by virtue of the said Will of the said *Ann Jennings* would actually have become entitled to the said Moiety of the said Premises, or the Rents and Profits, in case the same had not been sold and disposed of, and should pay, assign, transfer, and dispose of the same accordingly; and upon Trust that in the meantime, and until the said Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities, should become assignable and transferrable

transferrable as aforesaid by virtue of the Indenture now in recital, they the said Trustees, and the Survivors and Survivor of them, and the Executors or Administrators of such Survivor, should apply and dispose of the Interest, Dividends, and annual Produce of the said Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities to such Person or Persons, and for such Uses, Intents, and Purposes, as the Rents, Issues, and Profits of the said Moiety of the said Premises would have been payable or applicable unto by virtue of the said Will, in case the same had not been sold as aforesaid: And whereas by Indentures of Lease and Release bearing Date respectively the Thirtieth and Thirty-first Days of *May* One thousand seven hundred and eighty-seven, and made between *Philip Bowes Broke* Esquire and *John Godbold* Esquire (surviving Devisees in Trust for Sale under the Will of *Isabella Bowes* deceased) of the one Part, and the said *Henry Frederick* Lord *Carteret* (His Majesty's then Postmaster General) of the other Part, and by an Indenture of Bargain and Sale bearing even Date with the last-mentioned Indenture of Release, and made between the same Parties, a Capital Messuage or Tenement, with the Appurtenances, situate in or near *Lombard Street* in the several Parishes of *Saint Mary Woolnoth* and *Saint Mary Abchurch* aforesaid, or One of them, and another Messuage or Tenement situate on the South Side of *Lombard Street* in the Parish of *Saint Mary Woolnoth* aforesaid, and which Messuages had for many Years then last past been laid together and used and employed as Part of His Majesty's Post Office, (excepting a small Part of the same Premises which had then been sold to *Matthew Bloxam*, his Heirs and Assigns,) were conveyed and assured to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns for ever; and by a Deed Poll, under the Hand and Seal of the said *Henry Frederick* Lord *Carteret*, bearing Date on or about the First Day of *June* One thousand seven hundred and eighty-seven, the said *Henry Frederick* Lord *Carteret* did declare that he was a Trustee of the last-mentioned Premises for His Majesty, His Heirs and Successors: And whereas by certain Indentures of Lease and Release bearing Date respectively the Twentieth and Twenty-first Days of *June* One thousand eight hundred and twenty-five, the Release being made between the said *Henry Frederick* Lord *Carteret* of the First Part, the Right Honorable *Thomas* Earl of *Chichester* (His Majesty's then Postmaster General) of the Second Part, and *Stewart Majoribanks* Esquire, *Richard Mee Raikes*, *George Lyall* Esquire, and *Swanston Colthurst Holland* Esquire, Four of the Directors of the Guardian Fire and Life Assurance Company, of the Third Part, a certain Part of the Buildings comprised in the said last-recited Indentures, and consisting of Four Chambers or Rooms over the Gateway in *Lombard Street* aforesaid, was, in pursuance of an Act of Parliament made and passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for enabling a Conveyance to be made of Part of a House in* Lombard Street, *vested in the Right Honorable* Henry Frederick *Lord* Carteret (*formerly His Majesty's Postmaster General*), conveyed by the said *Henry Frederick* Lord *Carteret* to the Use of the said *Stewart Majoribanks*, *Richard Mee Raikes*, *George Lyall*, and *Swanston Colthurst Holland*, their Heirs and 5 G. 4. c. 5.

and Assigns for ever, in Trust for the said Company: And whereas by Indentures of Lease and Release bearing Date respectively the Fourth and Fifth Days of *August* One thousand seven hundred and ninety-one, the Release being made between *Carew Elers* Gentleman of the First Part, *Thomas Rider* Gentleman of the Second Part, and the Right Honorable *Thomas* Lord *Walsingham* and *Philip* Earl of *Chesterfield* (His Majesty's then Postmaster General) of the Third Part, and by an Indenture of Bargain and Sale bearing even Date with the last-mentioned Indenture of Release, and made between the same Parties, a Messuage or Tenement, formerly distinct from, but for several Years then past laid into, and then occupied as Part of the General Post Office in *Lombard Street* and *Abchurch Lane* aforesaid, and all the Parts and Shares then late of *John Archer Shish* Esquire, deceased, but then of the said *Thomas Ryder*, of and in the said Public Office or Building used for and called the General Post Office, were granted and conveyed to the Use of the said *Thomas* Lord *Walsingham* and *Philip* Earl of *Chesterfield*, their Heirs and Assigns for ever, in Trust for His Majesty, His Heirs and Successors: And whereas by an Indenture of Lease bearing Date on or about the Fifth Day of *December* One thousand seven hundred and ninety-nine, and made between the Right Honorable *William* Lord *Auckland* and the Right Honorable *George* Lord *Gower* (His Majesty's then Postmaster General) of the one Part, and *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold* of *Lombard Street*, *London*, Bankers and Copartners, of the other Part, all that Piece or Parcel of Ground whereon a Stone Staircase was then erected, communicating from *Abchurch Lane* with the Capital Messuage (used as a Banking House) of the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, situate in *Lombard Street* in the City of *London*, the said Piece or Parcel of Ground being Part of a Messuage or Dwelling House then late in the Occupation of Mr. *John Starr*, Deputy Comptroller of the Foreign Post Office, and situate on the West Side of *Abchurch Lane* aforesaid, in the Parish of *Saint Mary Woolnoth* in the City of *London*, being in front of *Abchurch Lane* Nine Feet Six Inches of Assize, little more or less, from North to South, then returning Westward on the South Side of the said Piece of Ground Twenty-two Feet of Assize, little more or less, then proceeding Northwards Nine Feet Six Inches of Assize, little more or less, and returning Eastward Twenty-one Feet Six Inches of Assize, little more or less, was demised and leased by the said *William* Lord *Auckland* and *George* Lord *Gower* unto the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, their Executors, Administrators, and Assigns, from the Feast Day of *Saint Michael* the Archangel then last past, for the Term of Ninety-five Years thenceforth next ensuing, subject to the Payment of the yearly Rent of Seven Pounds Ten Shillings as therein mentioned unto the said *William* Lord *Auckland* and *George* Lord *Gower*, during so long of the said Term as they should continue Postmaster General, and afterwards unto the Postmaster General for the Time being; but nevertheless in Trust for His Majesty, His Heirs and Successors: And whereas the said Piece or Parcel of Ground and Staircase so leased as last aforesaid formed Part of certain Premises which had theretofore

fore been purchased by the Postmaster General for the Time being for the Purposes of the said Post Office, and it is considered that the same Premises were comprised in the herein-before recited Indentures of the Fourth and Fifth Days of *August* One thousand seven hundred and ninety-one: And whereas by an Indenture of Lease bearing Date on or about the Fifteenth Day of *December* One thousand seven hundred and ninety-four, and made between Sir *Charles Watson* Baronet of the one Part, and the said *Philip* Earl of *Chesterfield* and the Right Honorable *George* Earl of *Leicester* (His Majesty's then Postmaster General) of the other Part, a Messuage or Tenement situate in *Abchurch Lane* aforesaid, in the said Parish of *Saint Mary Woolnoth*, formerly in the Possession of *Peter Perchard*, and another Messuage or Tenement situate in *Abchurch Lane* aforesaid, formerly in the Occupation of *Morris*, and Six other Messuages or Tenements situate in *Lamb Alley* in the said Parish of *Saint Mary Abchurch*, all which Messuages or Tenements were then held by *Richard Moss* Carpenter, under a Lease to him granted thereof by *Rebecca Watson*, Widow of the said Sir *Charles Watson* Baronet, and *James Cocks* Esquire, bearing Date the Thirtieth Day of *September* One thousand seven hundred and eighty, for the Term of Twenty-one Years from the Twenty-ninth Day of *September* then last, were demised by the said Sir *Charles Watson* to the said *Philip* Earl of *Chesterfield* and *George* Earl of *Leicester*, as Postmaster General as aforesaid, and unto the Postmaster General for the Time being, but in Trust for the Use and Benefit of His Majesty, His Heirs and Successors, from the Twenty-ninth Day of *September* One thousand eight hundred and one, for the Term of Ninety-nine Years, at and under the yearly Rent of One hundred and fifty Pounds: And whereas by an Indenture of Lease bearing Date on or about the Fifth Day of *December* One thousand seven hundred and ninety-nine, and made between the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, of the one Part, and the said *William* Lord *Auckland* and *George* Lord *Gower* (His Majesty's then Postmaster General) of the other Part, a Messuage or Tenement, with the Appurtenances, situate on the West Side of *Abchurch Lane* in the Parish of *Saint Mary Woolnoth* aforesaid, and abutting North, West, and South on the General Post Office, and which said Premises were then lately purchased by the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, together with *Thomas Hornyold* and *Joseph Bewith*, their then late Partners, deceased, of *Dorsel* Esquire, and were then in the Possession of the said Postmaster General, and used as an Office appurtenant to the said General Post Office, was demised by the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, to the said *William* Lord *Auckland* and *George* Lord *Gower*, as Postmaster General as aforesaid, and unto the Postmaster General for the Time being, but in Trust for the Use and Benefit of His Majesty, His Heirs and Successors, from the Feast Day of *Saint Michael* the Archangel then last past, for the Term of Ninety-five Years thence next ensuing, at and under the yearly Rent of Thirty Pounds: And whereas by an Indenture of Lease bearing Date on or about the said Fifth Day of *December* One thousand seven hundred and ninety-nine, and made between,

between the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, of the one Part, and the said *William* Lord *Auckland* and *George* Lord *Gower* (His Majesty's then Postmaster General) of the other Part, a Messuage or Tenement, No. 14., with the Shops, Cellars, and Appurtenances thereunto belonging, situate on the South Side of *Lombard Street* aforesaid, in the said Parish of *Saint Mary Woolnoth* and the Parish of *Saint Mary Abchurch*, or One of them, and then in the Occupation of Messieurs *Williams*, *Mainwaring*, and Co., was demised by the said *Abraham Robarts*, *William Curtis*, *Ellis Were*, and *Charles Hornyold*, to the said *William* Lord *Auckland* and *George* Lord *Gower*, as Postmaster General as aforesaid, and unto the Postmaster General for the Time being, but in Trust to and for the Use and Benefit of His Majesty, His Heirs and Successors, from the Feast Day of *Saint Michael* the Archangel then last past, for the Term of Ninety-five Years thence next ensuing, at and under the yearly Rent of Eighty Pounds: And whereas by certain Indentures of Lease and Release made between *Thomas Hale* Builder of the one Part, and the Right Honorable *John* Earl of *Sandwich* and the said *Thomas* Earl of *Chichester* (His Majesty's then Postmaster General) of the other Part, a Messuage, with the Ground whereon the same stood, situate on the East Side of *Sherborne Lane* in the Parish of *Saint Mary Woolnoth* aforesaid, abutting towards the South on an Alley there, called *Lamb Alley*, leading from *Abchurch Lane* to *Sherborne Lane*, was, in consideration of the Sum of Seven hundred and eight Pounds paid to the said *Thomas Hale*, under a Warrant from the Postmaster General, on or about the Fourth Day of *May* One thousand eight hundred and ten, granted and conveyed to the said *Thomas Hale* to the Use of the said *John* Earl of *Sandwich* and *Thomas* Earl of *Chichester*, their Heirs and Assigns for ever, in Trust for His Majesty, His Heirs and Successors: And whereas the several Scites, Buildings, Lands, Tenements, Hereditaments, and Premises, as well Freehold as Leasehold, herein-before mentioned or referred to, and respectively purchased or taken in Trust for His Majesty, His Heirs and Successors, were so purchased and taken for the Purpose of being built upon or converted into and used and occupied as the Post Office in the City of *London*, and the same were, with the Exception of the said Four Rooms or Chambers, sold to the Trustees for the Guardian Fire and Life Insurance Company as aforesaid, and the said Premises leased to Messieurs *Robarts*, *Curtis*, and Co. as aforesaid, for many Years used and occupied for the Purposes of such Post Office accordingly: And whereas an Act of Parliament was made and passed in the Fifty-fifth Year of the Reign of His late Majesty
55 G. 3. c. xci. King *George* the Third, intituled *An Act for enlarging and improving the West End of* Cheapside *in the City of* London, *also* Saint Martin's le Grand, Aldersgate Street, Saint Ann's Lane, *and* Foster Lane, *and for providing a Scite for a new Post Office between* Saint Martin's le Grand *and* Foster Lane *aforesaid:* And whereas a new Post Office hath accordingly been lately erected on the East Side of *Saint Martin's le Grand* in the said City of *London*, in which the Business of the Post Office is now conducted and carried on, and in consequence thereof the greater Part of the Buildings and Premises in or near *Lombard Street*, *Abchurch Lane*, and *Sherborne Lane* aforesaid,

lately

lately used for such Purpose hath become unnecessary: And whereas it is expedient that the Messuages, Buildings, Scites, Tofts, Lands, Tenements, Hereditaments, and Premises, as well Freehold as Leasehold, constituting or lately used or occupied as, or as Part of, or for the Purposes of the said Post Office in *Lombard Street*, *Abchurch Lane*, and *Sherborne Lane* aforesaid, and also the said Premises on Lease to Messieurs *Robarts* and Co. as aforesaid, subject to the said Lease, should be vested in His Majesty's Postmaster General for the Time being, and that the said Postmaster General for the Time being should have such Power of Sale and Disposition over the said Property as are herein-after in that Behalf contained: And whereas the said Moiety so sold and conveyed in the Year One thousand seven hundred and eighty-seven, by the said *John Jennings*, of the said Premises comprised in the said Indentures of the Third and Fourth Days of *May* One thousand seven hundred and eighty-seven, and Fine levied in pursuance thereof, hath been held and enjoyed under such Conveyance and Assurance ever since the Time of such Purchase (being a Period of upwards of Forty Years), without any Interruption, Claim, or Disturbance by any Person or Persons whomsoever claiming adversely thereto, although no Release, Conveyance, or other Assurance hath ever been obtained from any Child of the said *John Jennings*, or any Nephew or Niece of the said *Ann Jennings*, or other Person entitled (if any such there be) under the said Will of the said *Ann Jennings* deceased or otherwise to any Estate or Interest therein, nor hath the said Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities, so invested upon the Trusts of the said Indenture of the Eighth Day of *May* One thousand seven hundred and eighty-seven as aforesaid, been claimed or disposed of under the same Trusts, and, in consequence of the Dividends thereof having been unreceived from the Fifth of *January* One thousand eight hundred and sixteen, the said Stock hath been transferred to the Account of the Commissioners for the Reduction of the National Debt, as unclaimed for Ten Years and upwards: And whereas it is expedient that the Sale so made by the said *John Jennings* of the said Moiety of the last-mentioned Premises should be absolutely confirmed, and that the said Moiety should be henceforth released and discharged from all the Uses, Trusts, Limitations, Estates, Rights, and Interests created, limited, or declared of or concerning the same in or by or under or by virtue of the said Will of the said *Ann Jennings* deceased; and that the said Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities, so invested as aforesaid, should be deemed and taken as a full and sufficient Consideration for the Sale of the said Moiety, and should alone be resorted to by any Person or Persons claiming or entitled to such Moiety under or by virtue of such Will; but the same cannot be effected without the Aid of Parliament: And whereas by an Indenture of Feoffment, with Livery of Seisin thereon indorsed, and an Indenture of Bargain and Sale respectively bearing Date the Eighteenth Day of *December* One thousand eight hundred and twenty-eight, and respectively made between the Mayor and Commonalty and Citizens of the City of *London* of the First Part, the Most Noble *William* Duke of *Manchester* (His Majesty's then Postmaster General) of the

Second Part, *Francis Bligh Hookey*, Deputy Comptroller of the Chamber of the City of *London*, of the Third Part, and *Joseph Kay* Gentleman of the Fourth Part, all and singular the several Pieces or Parcels of Ground or Hereditaments particularly described in the First Schedule to the Indenture of Feoffment now in recital and in the Map or Plan contained on the Seventh Skin thereof, and therein described by the Colours Red, Yellow, and Green, and tinted with Indian Ink, and which said Pieces or Parcels of Ground and Hereditaments thereby granted and enfeoffed were Parts of Hereditaments purchased by or otherwise vested in the said Mayor and Commonalty and Citizens by virtue of the said Act of Parliament passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, which had not been demised or sold, or formed any Part of the Streets widened and improved as therein mentioned, were (subject to a certain Right of Way along a Court formerly called *Magpie Court*, to the new Burial Ground therein mentioned,) conveyed unto the said Postmaster General and his Successors, in Trust for His Majesty, His Heirs and Successors: And whereas it is expedient that His Majesty's present Postmaster General, and his Successors for the Time being, should be invested with such Powers of Sale, Exchange, Leasing, and other Disposition over all the Land and Hereditaments comprised in the said Indentures of Feoffment and Bargain and Sale of the Eighteenth Day of *December* One thousand eight hundred and twenty-eight, as are herein-after also in that Behalf contained; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately from and after the passing of this Act all and every the Messuages, Buildings, Scites, Tofts, Lands, Tenements, Hereditaments, and Premises, as well Freehold as Leasehold, by any of the several hereinbefore recited Indentures, or by any other Conveyances or Assurances in the Law, at any Time or Times heretofore granted, demised, conveyed, or otherwise assured unto or to the Use of the Postmaster General for the Time being, or any other Person or Persons whomsoever, and his or their Heirs or Successors, or Executors and Administrators, in Trust for His Majesty, His Heirs and Successors, and now constituting or forming the said old Post Office in or near *Lombard Street*, *Abchurch Lane*, and *Sherborne Lane* aforesaid, or the Buildings, Offices, Passages, and Ways appurtenant thereunto, or otherwise lately used or occupied therewith for the Purposes of the said Post Office, or any Part or Parts thereof, and which are now held by any Person or Persons whomsoever in Trust for or for the Use of His Majesty, His Heirs and Successors, either in Fee or for any Term or Terms of Years, renewable or otherwise, or for any less Interest, and all Erections, Buildings, Offices, Yards, Courts, Ways, Passages, and Appurtenances which have been erected, built, or made on the Scites or Scite of any such Messuages, Lands, Tenements, and Hereditaments, or any Part thereof, together with the Rights, Members, Easements, and Appurtenances to the same respectively belonging, but without Prejudice to the said Lease so granted to the said Messieurs *Robarts*, *Curtis*, and Co., as aforesaid, shall be conveyed and assigned by all necessary and proper Parties to and shall be vested in His Majesty's Postmaster General

The Premises forming the old Post Office vested in the Postmaster General for the Time being for the Purpose of Sale.

for the Time being, (who shall be and is hereby for that Purpose made a Body Corporate, and shall have a Seal,) and his Successors and Assigns, according to the Nature and Quality, Estate and Interest of and in the same Hereditaments and Premises respectively, but nevertheless in Trust for His Majesty, His Heirs and Successors; and that upon the Death, Resignation, or Removal of the present Postmaster General, or of any future Postmaster General, all such Messuages, Buildings, Scites, Tofts, Lands, Tenements, Hereditaments, and Premises respectively shall, until Sale thereof as herein-after provided, become vested in and be held by the succeeding Postmaster General, and so in continual Succession, according to the Nature and Quality, Estate and Interest of and in the same respectively, in Trust for His Majesty, His Heirs and Successors.

Sale of certain Ground by J. Jennings to Lord Carteret confirmed.

II. And be it further enacted, That the said Sale so made by the said *John Jennings* of the aforesaid Moiety of the Piece or Parcel of Ground and Hereditaments conveyed by the said recited Indentures of Lease and Release and Bargain and Sale of the Third and Fourth Days of *May* One thousand seven hundred and eighty-seven, and Fine levied in pursuance thereof, to the Use of the said *Henry Frederick* Lord *Carteret*, his Heirs and Assigns, as herein-before is mentioned, shall be and the same is hereby absolutely ratified and confirmed, and made valid in Law, in like Manner as if the said *John Jennings* had at the Time of such Conveyance been absolutely seised of the Fee Simple and in Inheritance of the same; and the said Moiety shall henceforth for ever hereafter be held, used, and enjoyed by the said Postmaster General for the Time being, his Successors and Assigns, freed and absolutely released and discharged of and from all the Uses, Trusts, Limitations, and Estates whatsoever, both at Law and in Equity, created, limited, or declared in or by the said Will of the said *Ann Jennings*, and of and from all Rights, Titles, Claims, and Demands of any Child or Children of the said *John Jennings*, or any Nephews or Nieces of the said *Ann Jennings* deceased, or any other Person or Persons whomsoever claiming or to claim under or by virtue of the said Will of the said *Ann Jennings* deceased, or otherwise by, through, or under her, other than the said Postmaster General, his Successors and Assigns; and that the aforesaid Sum of Two hundred and sixty-four Pounds Five Shillings Bank Three Pounds *per Cent.* Consolidated Annuities, and the Dividends and annual Produce thereof, shall be deemed and taken to be a full and sufficient Consideration for the Sale of the said Moiety to the said Postmaster General as aforesaid, and shall alone be resorted to at all Times hereafter by all and every Persons or Person having or claiming any Estate, Right, Title, Interest, or Demand in, to, or out of the said Moiety or any Part thereof, under the said Will of the said *Ann Jennings*, or under or by virtue of any Use, Trust, Limitation, or Estate thereby created, other than the said Postmaster General, His Successors and Assigns.

Indenture of Lease by the Postmaster General to

III. And be it further enacted, That the said in part recited Indenture of Lease of the Fifth Day of *December* One thousand seven hundred and ninety-nine, so granted by the then Postmaster General

Messrs. Robarts and Co., 5th Dec. 1799, confirmed.

General to the said Messieurs *Robarts* and Co., as herein-before mentioned, shall be and the same is hereby confirmed and made valid in Law for the Residue of the said Term of Ninety-five Years by the same Indenture granted; and that the Freehold and Inheritance in Reversion immediately expectant on the Expiration or sooner Determination of the same Term shall henceforth be absolutely vested in His Majesty's present Postmaster and his Successors, in Trust for His Majesty, His Heirs and Successors; and that the yearly Rent of Seven Pounds Ten Shillings, by the same Indenture of Lease reserved and made payable to His Majesty's Postmaster General for the Time being, shall, from and after the passing of this Act, and thenceforth during the Residue of the said Term of Ninety-five Years, together with all Arrears thereof, be paid and payable to His Majesty's Postmaster General for the Time being, and his Successors and Assigns, and shall be deemed incidental to and shall pass with the Reversion of the Premises comprised in the same Lease, immediately expectant on the Expiration or sooner Determination of the Term thereby granted; and the said Postmaster General for the Time being, and his Successors and Assigns, shall be invested with all the like Powers and Remedies for compelling Payment of the same yearly Rent and the Arrears thereof, and for the due Observance and Performance of the several Covenants, Provisoes, and Agreements in the same Indenture of Lease on the Part of the Lessees contained, and with the like Power of Re-entry for Breach of Condition, and with all other the like Powers and Authorities, as fully and effectually in all respects as if such Postmaster General for the Time being, or his Successors or Assigns, had been the Lessor or Lessors named in the same Indenture of Lease.

The Reversion expectant on the Determination of the same, as also the reserved Rent, vested in the Postmaster General.

Postmaster General, with the Consent of the Treasury, authorized to sell the Premises forming the old Post Office, with the Reversion, &c.

IV. And be it further enacted, That it shall be lawful for the said Postmaster General for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the Lord High Treasurer or the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, (such Consent and Approbation to be certified by One of the Secretaries or Assistant Secretaries to the Treasury, by Writing under his Hand,) absolutely to sell and dispose of all or any of the Messuages, Buildings, Scites, Tofts, Lands, Tenements, or Hereditaments now constituting or forming the said old Post Office in or near *Lombard Street*, *Abchurch Lane*, and *Sherborne Lane* as aforesaid, or any Part or Parcel thereof or Appurtenant thereto, or lately occupied therewith as Part of the said Office, or otherwise lately used for the Purposes of the said Post Office, and including therein the Reversion of the Premises comprised in the said Indenture of Lease of the Fifth Day of *December* One thousand seven hundred and ninety-nine, and the said Rent of Seven Pounds Ten Shillings thereby reserved, either by public Auction or private Contract, or partly by each such Mode, with full Power and Authority to purchase in the same at any public Auction, without Liability for any Loss to be incurred thereby, and in due Form of Law to convey, assign, and make over the same to any Person or Persons who shall be willing to purchase the same respectively, his, her, or their Heirs, Executors, Administrators, and Assigns, and for such Purposes

to

to do any other Act, Matter, or Thing in relation to any such Messuages, Buildings, Scites, Tofts, Lands, Tenements, Rents, and Hereditaments, which shall be deemed beneficial by the said Postmaster General and the said Lord High Treasurer or Lords Commissioners to the Public Service, and which might be done by any Person having a like Interest in Messuages, Lands, Tenements, and Hereditaments.

For removing Doubts as to the Power of letting certain Premises demised to the Postmaster General by the Lease of 10th July 1765.

V. And whereas, inasmuch as the Premises comprised in the said in part recited Indenture of Lease of the Tenth Day of *July* One thousand seven hundred and sixty-five were in the same Indenture expressed to be demised to the said *Robert Hamden* Lord *Trevor* and *Thomas* Lord *Hyde*, or the Postmaster General for the Time being, in Trust for His Majesty, His Heirs and Successors, to be occupied for the Business of the Bye and Cross Road Letter Office, or such other Purposes as His Majesty's Postmaster General for the Time being should think proper, a Doubt may arise whether His Majesty's Postmaster General for the Time being has the Power of assigning or letting the same Premises for any Purposes not connected with the Post Office to any Person or Persons for all or any Part of the unexpired Residue of the Term of Ninety-nine Years granted by the same Indenture of Lease, or any renewed Lease to be thereof granted, without the Authority of Parliament; be it therefore enacted, That His Majesty's present Postmaster General, and his Successors for the Time being, shall have full Power and Authority, with such Consent and Approbation and so certified as aforesaid, to assign or let the said last-mentioned Leasehold Premises, or any Part or Parts thereof, for all or any Part of the said Term of Ninety-nine Years for which the same Premises are holden, or for all or any Part of any renewed Term of Years in the same Premises which may be granted to or become vested in the said Postmaster General for the Time being, to any Person or Persons whomsoever, any Condition, expressed or implied, in any such Indenture of Lease to the contrary thereof notwithstanding.

Postmaster General may sell the Premises comprised in the Leases of 10th July 1765, 15th Dec. 1794, and 5th Dec. 1799.

VI. And be it further enacted, That it shall be lawful and competent to and for the Postmaster General for the Time being to sell and dispose of the Leasehold Premises comprised or to be comprised in the said Indenture of Lease of the Tenth Day of *July* One thousand seven hundred and sixty-five, or any renewed Lease thereof as aforesaid, or respectively comprised in the several and respective Indentures of Lease of the Fifteenth Day of *December* One thousand seven hundred and ninety-four, the Fifth Day of *December* One thousand seven hundred and ninety-nine, and Fifth Day of *December* One thousand seven hundred and ninety-nine, herein-before mentioned, either in One Lot or in several Lots or Parcels, and either subject to the entire Rent respectively in the said Indentures of Lease reserved or to be reserved, or otherwise subject to such an Apportionment of the Rent reserved or to be reserved by any such respective Indentures of Lease as the Postmaster General for the Time being shall deem reasonable and proper, or subject as to Part of the Premises comprised in any such respective Indenture of Lease to the Whole of the Rent thereby reserved or to be reserved, in

discharge of the Residue of the Premises comprised in such respective Lease, if the said Postmaster General for the Time being shall so think fit, although in either of such Cases the Superior or Ground Landlord or Lordlords shall not concur in or assent to such Sale, Disposition, or Appointment, any thing in the said several subsisting or future Indentures of Lease, or any of them, or otherwise, expressed or implied, or to be expressed or implied, to the contrary thereof notwithstanding; but so that in case any such Rent be apportioned amongst or be fixed on a Part only of the Premises comprised in any such respective Indenture of Lease, in discharge of the Remainder of such Premises, without the Concurrence or Assent of the Superior or Ground Landlord or Landlords of the same Premises, the said Postmaster General for the Time being shall, at the Expence of the Post Office Revenue, cause to be delivered to him, her, or them, or his, her, or their known Agent, Solicitor, or Attorney, a Duplicate of the Deed or Instrument whereby any such Apportionment or Charge shall be made or effected.

Tenure of the renewed Lease of the Premises demised by Mr. Todd;

VII. And be it further enacted, That any renewed Lease to be obtained of the Premises demised by the said *Anthony Todd* as aforesaid shall be so held and disposed of by the said Postmaster General, and his Successors for the Time being, upon and subject to the like Trusts and Powers, and for the like Intents and Purposes, as are by this Act created, given, and declared of and concerning the present Lease of the same Premises.

and of certain Messuages in Sherborne Lane.

VIII. And whereas a Treaty is on foot between the present Postmaster General and the Drapers Company in the said City of *London* for the Grant to the said Postmaster General, his Successors and Assigns, by the said Company, of a Lease of Two Messuages or Tenements in or near *Sherborne Lane* aforesaid, and it may be desirable that such Lease should be accepted; be it therefore enacted, That if any Lease shall at the Time of the passing of this Act have been granted, or shall at any Time hereafter be granted, to the Postmaster General for the Time being by the said Drapers Company, of any Messuages or other Premises in or near *Sherborne Lane* aforesaid, the same shall be held by the said Postmaster General, and his Successors for the Time being, upon and subject to the like Trusts and Powers for selling or letting the same, and for the like Intents and Purposes, in all respects, as are herein-before created, given, and declared of and concerning the other Leasehold Premises herein-before mentioned.

Postmaster General, with Consent of the Treasury, may dispose of the Premises comprised in the Indentures of 18 Dec. 1828, with the Buildings to

IX. And be it further enacted, That it shall be lawful for the present Postmaster General, and his Successors for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury, or any Three or more of them, to be certified as aforesaid, to dispose of all and every the Pieces or Parcels of Ground and other Hereditaments respectively comprised in and conveyed by the said Indentures of Feoffment and Bargain and Sale of the Eighteenth Day of *December* One thousand eight hundred and

twenty-eight, and also any Messuages or Tenements, Erections or Buildings, to be erected or built on the said Lands, or any Part thereof, in pursuance of any Lease or Leases to be granted under or by virtue of the Powers or Authorities for that Purpose herein-after contained, and the Ground Rent or Ground Rents to be reserved in any such Lease or Leases, and the Reversion or Reversions expectant on such Lease or Leases, either by way of absolute Sale, by public Auction or private Contract, or partly by each of those Modes, with full Power to purchase in the same at any such public Auction, without Liability for any Loss to be incurred thereby; or in exchange for any Freehold or Leasehold Estates, to be situate in the Cities of *London* or *Westminster*, or the Borough of *Southwark*, or the Suburbs thereof respectively; and for the Purpose of effecting such Sale or Exchange, Sales or Exchanges, to convey, assign, and make over the Hereditaments and Premises which shall be so sold or exchanged as last aforesaid to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, taking the same by way of Sale or Exchange, and his, her, or their Heirs, Successors, Executors, Administrators, and Assigns, in such Form of Law as shall be deemed necessary or expedient in that Behalf.

be erected thereon, and the Ground Rent and Reversions expectant on the same.

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised, possessed, or entitled in their own Right or entitled to Dower or any other Interest, and to and for all and every the Persons and Person whomsoever, who are, is, or shall be seised, possessed, or interested of, in, or out of any Houses, Buildings, Lands, Tenements, or other Hereditaments, or any Part or Share or Parts or Shares thereof, which the said Postmaster General, or his Successors for the Time being, with such Consent and Approbation and so certified as aforesaid, shall deem expedient or advantageous to be received in exchange as aforesaid, to contract for and convey the same and every or any Part thereof to the said Postmaster General for the Time being, and his Successors, in Trust for His Majesty, His Heirs and Successors, in lieu of or in exchange for any other Messuages, Tenements, Lands, or Hereditaments, or any Part or Share, Parts or Shares thereof, then vested in the said Postmaster General for the Time being; and that all Contracts, Agreements, Bargains and Sales, Conveyances and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such

Bodies Politic, &c. empowered to exchange.

Exchange

Exchange which he, she, or they, or any of them, shall respectively make by virtue or in pursuance of this Act.

Bodies Politic to execute Conveyances of exchanged Premises.

XI. And be it further enacted, That the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, as aforesaid, with whom any such Agreement for an Exchange shall be made as aforesaid, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law to the said Postmaster General for the Time being, and his Successors, in Trust for His Majesty, His Heirs and Successors, of the said Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Share or Parts or Shares thereof, so agreed to be given by them, him, or her in exchange as aforesaid in lieu of and in exchange for the Hereditaments to be given by the said Postmaster General for the Time being, and shall procure all necessary Parties to execute such Conveyances, Assignments, and Assurances, and shall do all Acts, Matters, and Things necessary and requisite to make a good, clear, and perfect Title to the Premises thereby conveyed; and such Conveyances, Assignments, and Assurances shall contain all such reasonable and usual Covenants as shall on the Part of the Postmaster General for the Time being be required; and from and after the Completion of any such Exchange as aforesaid, the Messuages, Lands, Tenements, or Hereditaments, or the Part or Share or Parts or Shares thereof, to be thereby received in exchange by the said Postmaster General for the Time being, shall be held and enjoyed by him and his Successors, absolutely released and discharged from all Uses, Trusts, Limitations, Powers, Declarations, Charges, Incumbrances, Claims, and Demands whatsoever then subsisting in or in anywise affecting the same; and all such Uses, Trusts, Limitations, Powers, Declarations, Charges, Incumbrances, Claims, and Demands shall thenceforth be transferred to and affect and remain charged upon the Messuages, Tenements, Lands, or Hereditaments, or the Part or Share or Parts or Shares thereof, to be received in exchange by the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate aforesaid, as fully and effectually to all Intents and Purposes as the same were subsisting in, or affected or stood charged upon the Hereditaments and Premises to be departed with by him or them in exchange immediately before such Exchange was made.

Postmaster General, with Consent, may demise the Lands contained in the Indenture of 18th December 1828 on Building Leases.

XII. And be it further enacted, That it shall and may be lawful for the present Postmaster General, and his Successors for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasurer, or any Three or more of them, to be certified as aforesaid, to demise or lease all or any Part or Parts of the Land and Hereditaments comprised in the said recited Indentures of Feoffment and Bargain and Sale of the Eighteenth Day of *December* One thousand eight hundred and twenty-eight, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon, or on any Part or Parts thereof, Houses, Erections, and Buildings of such Rate or Class or respective Rates

or

or Clauses of Buildings, upon such Plan or Elevation or respective Plans or Elevations, of such Height or respective Heights, and with such Stories, as the said Postmaster General, or his Successors for the Time being, with such Consent and Approbation and so certified as aforesaid, shall think proper, for any Term or Number of Years, to determine at or before the Expiration of Ninety-nine Years from and after the making of such Demise or Lease, so as there be reserved in every such Demise or Lease such yearly Rent or Rents, to be incident to the immediate Reversion of the Premises therein comprised, as to the said Postmaster General for the Time being, with such Consent and Approbation and so certified as aforesaid, shall appear reasonable.

Leases to contain certain Covenants.

XIII. Provided always, and it is hereby declared, That in every Demise or Lease to be granted under the Authority of this Act there shall be contained a Covenant for Payment of the Rent or Rents thereby to be reserved, and such other Covenants, Provisoes, and Agreements on the Part of the Lessee or Lessees to be therein named, as the Postmaster General for the Time being, with such Consent and Approbation and so certified as aforesaid, shall reasonably require; and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of such Rent or Rents, or Nonperformance or Breach of the said Covenants, Provisoes, or Agreements, or any of them; but such Lessee or Lessees shall not by any Clause to be contained in any such Lease be exempted from Punishment for committing Waste, except such as may be necessary for making or effecting such Houses, Erections, or Buildings as aforesaid; and all and every the Lessees or Lessee under this Act shall duly execute a Counterpart of their, his, or her Lease; and every such Tenant or Lessee shall give such good and sufficient Security for the erecting, finishing, and completing of any House, Erection, and Building which he shall covenant or agree to erect, within the Time in which he shall have contracted to finish the same, as the said Postmaster General for the Time being, with such Consent and Approbation and so certified as aforesaid, shall order and direct.

Postmaster may appropriate certain Lands, &c. near to Aldersgate Street for the widening and Improvement thereof.

XIV. And be it further enacted, That it shall be lawful for the present Postmaster General, and his Successors for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury, or any Three or more of them, to be certified as aforesaid, to assign and appropriate any Part or Parts of the Lands and Premises or Hereditaments comprised in and conveyed by the said Indentures of Feoffment and Bargain and Sale of the Eighteenth Day of *December* One thousand eight hundred and twenty-eight, and also any Part or Parts of the Lands or Hereditaments to be recovered or taken by him in exchange as aforesaid, and adjoining to the said Street called *Aldersgate Street* and *Saint Martin's le Grand*, or either of them, or any other Street or Way in the Neighbourhood of the said New Post Office, for the Purpose of the Land so to be appropriated being thrown into and added to such Street or Way, for the widening and Improvement thereof, and for such Purpose to take down and remove any Messuages or Buildings

standing on such Land or Ground, and to do and concur in all other necessary Acts for effecting any such Improvement.

Postmaster General for the Time being invested with Powers of Sale, &c.

XV. And be it further enacted, That the present Postmaster General, and his Successors for the Time being, shall have the like Powers of Sale, Exchange, Leasing, and Appropriation, and in the same large and ample Manner, over or in respect of any Lands, Tenements, or Hereditaments which may hereafter become vested in him or his Successors for the Time being by virtue of this Act, by way of Exchange or otherwise howsoever, as are herein-before given in relation to any of the Hereditaments and Premises before mentioned or referred to.

Monies arising by Sales to be paid into the Bank.

XVI. And be it further enacted, That the Monies to arise and be produced by the Sales of any Messuages, Lands, Tenements, or Hereditaments which shall be sold under the Provisions of this Act, shall be paid into the Bank of *England*, and shall be there placed to the Account of the Receiver General of His Majesty's Post Office, or to such other Account in the Bank of *England* as the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall direct; and the Receipt of any One of the Cashiers of the Bank of *England* for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid into the Bank of *England*.

Rents, Fines, &c. to be paid to the Receiver General of the Post Office until Sale of the Premises.

XVII. And be it further enacted, That all Rents, Fines, Premiums, and Sums of Money which shall be reserved or become due or payable upon or in respect of any Lease or Leases to be granted under the Provisions of this Act, as well as the aforesaid Rent of Seven Pounds Ten Shillings, shall, until the Sale of the Premises therein comprised by the Postmaster General for the Time being, be paid by the Person or Persons liable to pay such Rents, Fines, Premiums, or Sums of Money respectively, unto His Majesty's Receiver General of the said Post Office for the Time being, whose Receipt shall be a good Discharge for the same, and shall be by him carried to the Account of the General Revenue of the said Post Office.

Reservation of Rights of Way, &c.

XVIII. And be it further enacted, That in all Sales, Exchanges, and Leases respectively to be made by the present Postmaster General, or his Successors for the Time being, under the Authority of this Act, it shall be competent and lawful for him to stipulate for, create, or reserve all such Rights of Way or Road as he shall think proper.

Declaring the Validity of all Deeds made and enrolled under the Authority of this Act.

XIX. And for the Protection of all Persons, and Bodies Politic, Corporate, and Collegiate, to or with whom Leases, Sales, Exchanges, or Grants may be made under the Authority or supposed Authority of this Act, and of all Parties claiming under them, be it further enacted, That no Person, or Body Politic, Corporate, or Collegiate, claiming under any Deed or Instrument by which any Lease, Sale, or Exchange, or Grant shall be made or purported to be made by the Postmaster General for the Time being, under the Authority of this Act, and which shall be duly enrolled under the Provisions hereinafter contained, shall be bound to inquire whether the said Post-

master General shall have been duly authorized by the said Lord High Treasurer or Lords Commissioners of His Majesty's Treasury to make the same or not, or whether such Lease, Sale, Exchange, or Grant shall have been in fact authorized by this Act or not, or whether it shall or not have been within the Provisions and within the true Intent and Meaning of this Act; but every Deed or Instrument by which any Lease, Sale, Exchange, or Grant shall purport to be made under the Authority of this Act, shall, after the same shall have been duly enrolled pursuant to the Provisions hereinafter contained, be good, valid, and effectual as against His Majesty, His Heirs or Successors, for the Purposes for which the same shall have been executed.

Security to Purchasers.

XX. And to prevent any Question as to the Liability of Purchasers and other Persons paying Money under the Authority of this Act, be it further enacted, That no Person, or Body Politic, Corporate, or Collegiate, paying any Sum of Money under the Authority of this Act, or in pursuance of any Provision herein contained, shall be bound to see to the Application or be answerable for the Misapplication or Nonapplication of the Money so paid by him, her, or them.

Deeds to be enrolled within Six Months.

XXI. And be it further enacted, That all Deeds or Instruments whereby any Messuages, Lands, Tenements, Rents, or Hereditaments shall be hereafter sold, leased, or exchanged under the Authority of this Act, shall, within Six Calendar Months after the Date of such Deeds or Instruments respectively, be enrolled in His Majesty's High Court of Chancery.

Memorandum of Enrolment to be good Evidence.

XXII. And be it further enacted, That where any Deed or other Instrument which shall appear to have been executed under the Authority of this Act shall have written thereon a Memorandum of its having been enrolled in His Majesty's said Court of Chancery, and such Memorandum shall purport to be signed by the Officer of such Court, such Memorandum shall, in the Absence of Evidence to the contrary, be sufficient Proof of the Deed or other Instrument having been duly made, granted, or executed by the Party or Parties by whom the same shall purport to have been signed or executed, and of its having been duly enrolled as stated in such Memorandum, and of the Provisions of this Act having been duly complied with; and such Memorandum shall be receivable in Evidence without Proof of the Handwriting of the Signature thereto.

Remedy for Delay of Enrolment.

XXIII. And be it further enacted, That in all Cases where the Enrolment of any Deed or other Instrument in the said Court of Chancery shall be omitted or delayed beyond the Period provided for the Enrolment and Entry thereof respectively, it shall be lawful for the Postmaster General for the Time being, on any reasonable Cause to him shown for the Omission or Delay, and he is hereby authorized and empowered, to direct the making of every such Enrolment or Entry *nunc pro tunc*; and the same respectively when made under such Authority shall be as valid and effectual as if made within the Period hereby limited for that Purpose.

XXIV. And

Act may be altered this Session.

XXIV. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

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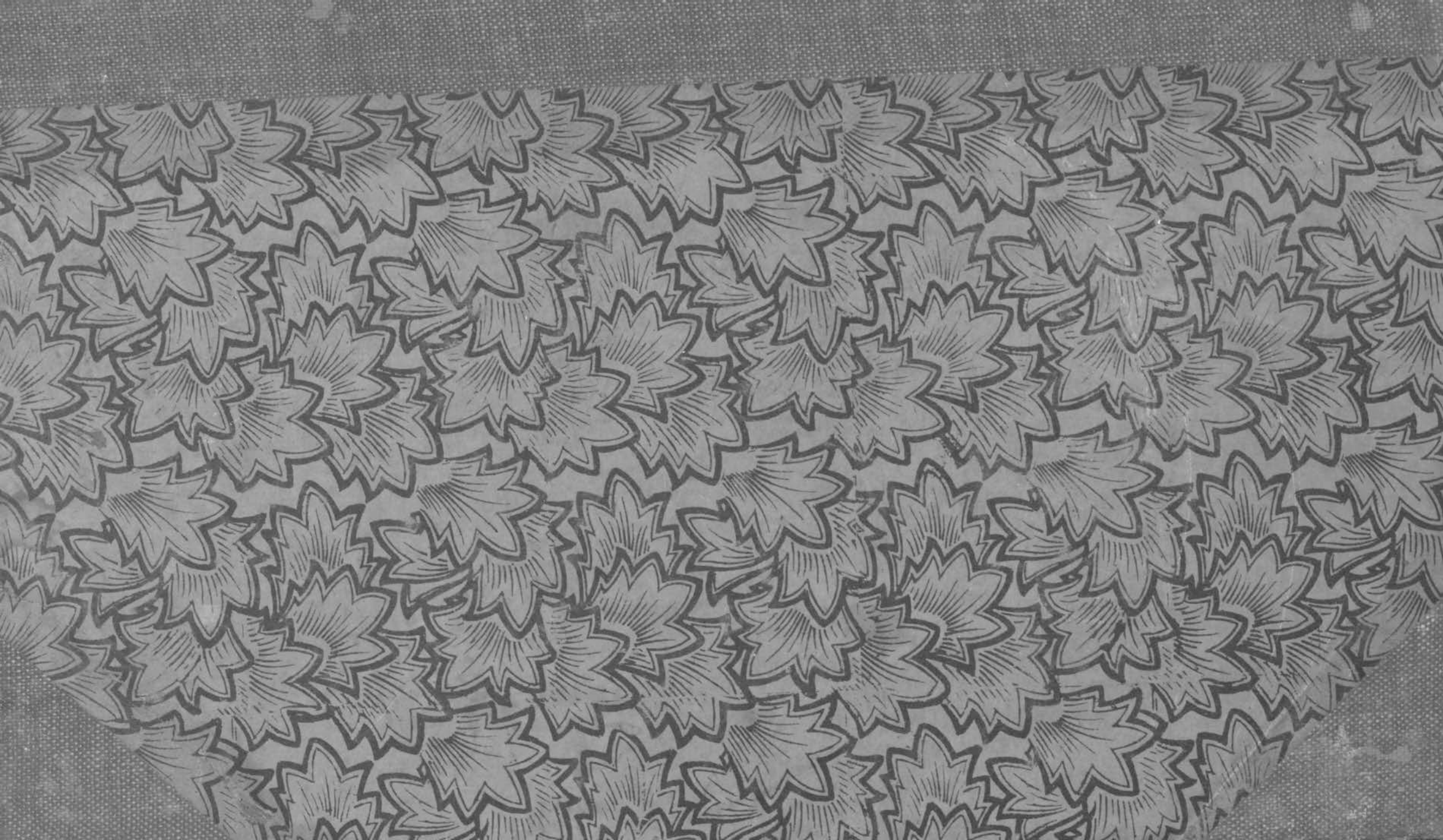
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